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Attorneys for Defendants
8 LIEUTENANT JERRY FERNANDEZ, DETECTIVE
JACOB DUNCAN; DETECTIVE JEREMY ASHBEE;
9 COUNTY OF SHASTA; and SHASTA COUNTY
SHERIFF'S DEPARTMENT
10

11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA
13 SACRAMENTO DIVISION
14

15 E.L., a minor, by and through her general
guardian, JESSICA LONG; JESSICA LONG,
16 an individual,

17 Plaintiffs,

18 v.

19 LIEUTENANT JERRY FERNANDEZ, in his
individual capacity; DETECTIVE JACOB
20 DUNCAN, in his individual; DETECTIVE
JEREMY ASHBEE, in his individual capacity;
21 and DOES 1 through 10,,
22

Defendants.
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Case No. 2:22-cv-01527-DAD-AC

**JOINT STIPULATION AND REQUEST
TO CONTINUE CERTAIN
SCHEDULING ORDER DATES**

*[[Proposed] Order Lodged Concurrently
Herewith]*

Action Filed: August 31, 2022

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STIPULATION TO CONTINUE CERTAIN SCHEDULING ORDER DATES

TO THE HONORABLE COURT:

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3 1. Defendants, LIEUTENANT JERRY FERNANDEZ, DETECTIVE JACOB
4 DUNCAN, DETECTIVE JEREMY ASHBEE, COUNTY OF SHASTA, and SHASTA
5 COUNTY SHERIFF’S DEPARTMENT (collectively “County Defendants”), by and through
6 their counsel of record, and Plaintiffs, E.L., a minor, by and through her general guardian,
7 JESSICA LONG, and JESSICA LONG, an individual (“Plaintiffs”) (collectively the “Parties”),
8 by and through their counsel of record, apply for an Order continuing the following dates in the
9 Scheduling Order as follows:

10 A. That the factual discovery cut-off date be continued for sixty (60) days
11 from the present date of September 25, 2023 to a new date of November 24, 2023.

12 2. Good cause exists for a continuance because:

13 A. There are scheduling conflicts that prevent the Parties depositions from
14 being completed by the current factual discovery cut-off.

15 B. Additional parties have been named after the Scheduling Order was issued.
16 Specifically, the County of Shasta, the Shasta County Sheriff’s Department (“County
17 Entities”), the Shasta District Fair and Event Center, Melanie Silva, and BJ Macfarlane
18 (“District Fair Parties”) were named as new defendants in the First Amended Complaint,
19 which was filed on March 2, 2023, after the Scheduling Order was issued on
20 December 21, 2022. Additional fact discovery will have to be completed that was not
21 previously accounted for in the Joint Status Report.

22 C. The Parties are exploring settlement and trying to avoid the expense of
23 discovery. The parties have exchanged written settlement offers and counter offers.
24 Counsel for the County Defendants is now in the process of involving third-party
25 carrier(s) to obtain additional authority for a possible settlement. The requested
26 continuance is consistent with the conservation of judicial resources because a
27 continuance may prevent the need for a trial if the parties are successful in the settlement
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1 negotiations.

2 D. The Parties will not be prejudiced by the change of the Scheduling Order
3 dates. The following Schedule Order dates will not change:

- 4 i. Expert Discovery Cut-Off: December 28, 2023.
5 ii. Motions Cut-Off: February 12, 2024.
6 iii. Final Pre-Trial Conference: August 6, 2024.
7 iv. Trial Date: October 7, 2024.

8 However, if a continuance is not granted, the Parties will be prejudiced because the
9 Parties will not have the opportunity to obtain the necessary evidence to prepare this case
10 for trial.

11 E. The Parties all agree to the continuance.

12 F. No other requests for any continuance have been made at any time.

13 IT IS SO STIPULATED

14 **[SIGNATURES ON FOLLOWING PAGE]**

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Dated: July 5, 2023

BEST BEST & KRIEGER LLP

By: /s/ Damian A. Northcutt

JEFFREY V. DUNN
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LIEUTENANT JERRY FERNANDEZ,
DETECTIVE JACOB DUNCAN;
DETECTIVE JEREMY ASHBEE;
COUNTY OF SHASTA; and SHASTA
COUNTY SHERIFF'S DEPARTMENT

Dated: July 5, 2023

ADVANCING LAW FOR ANIMALS

By: /s/Ryan Gordon (as authorized on July 5, 2023)

RYAN GORDON
VANESSA T. SHAKIB

Attorneys for Plaintiffs
E.L., A MINOR, BY AND THROUGH
HER GENERAL GUARDIAN, JESSICA
LONG; JESSICA LONG, AN
INDIVIDUAL

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