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10 JOHN MCGINNESS

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

12	DEANNA SYKES, ANDREW WITHAM,)	CASE NO. 2:09-cv-01235-MCE-KJM
13	ADAM RICHARDS, SECOND)	
14	AMENDMENT FOUNDATION, INC., AND)	DEFENDANTS MCGINNESS AND
15	THE CALGUNS FOUNDATION, INC.)	COUNTY OF SACRAMENTO’S
16)	OBJECTIONS TO PRETRIAL
17	Plaintiffs)	SCHEDULING ORDER
18)	
19	v.)	
20)	
21	JOHN MCGINNESS, COUNTY OF)	
22	SACRAMENTO, ED PRIETO, AND)	
23	COUNTY OF YOLO)	
24)	
25	Defendants.)	
26	_____)	

27 DEFENDANTS JOHN MCGINNESS and COUNTY OF SACRAMENTO, hereby object
28 to this Court’s Pretrial Scheduling Order issued August 18, 2009, as follows:

29 Plaintiffs have filed and served a motion for summary judgment, scheduled for hearing
30 on September 24, 2009;

31 No discovery has been conducted thus far in this case;

32 Depending upon the determination of the summary judgment motion, Defendants may

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1 need to conduct discovery after that motion is heard;

2 Defendants require at least 140 days for minimal discovery including written discovery
3 and potential depositions. Because of the discovery cut-off date of January 11, 2009, at which
4 time all disputes shall be resolved and any orders complied with, objecting defendants will not
5 have the ability to propound discovery, receive responses, meet and confer with respect to any
6 inadequate responses, file a properly noticed motion to compel, if necessary, have the motion
7 heard, and any resulting orders complied with prior to the January 11 cut off date, between the
8 time of the hearing on Plaintiff's motion for summary judgment, September 24, 2009, and the
9 current discovery cut off date of January 11, 2009 (a period of only 109 days, including all the
10 major holiday periods). Defendants calculate that from the time propounded discovery is served,
11 until responses are received, meet and confer occurs, motion to compel, and orders thereafter
12 complied with, requires at least a four to five month period.

13 Therefore, based upon the foregoing, Defendants McGinness and the County of
14 Sacramento, object to the Pretrial Scheduling Order and request that the Court extend the
15 discovery period from January 11, 2009 to at least **March 1, 2010**, along with the last date for
16 dispositive motions to be heard extended to **June 3, 2010**.

21 Respectfully submitted,

22 Dated: August 20, 2009 LONGYEAR, O'DEA AND LAVRA, LLP

23 /s/ Jeri L. Pappone
24 By: _____
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