

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**JOANNA CASTRO,  
PLAINTIFF**

**V.**

**ALBERT SALINAS,  
DEFENDANT**

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**CIVIL NO. 5:18-CV-00312-DAE**

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**JOINT MOTION FOR LEAVE TO  
EXTEND SCHEDULING ORDER GUIDELINES**

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TO THE HONORABLE U.S. DISTRICT COURT:

Defendant SALINAS (“Defendant”) files this Joint Motion for Leave to Extend Scheduling Order Deadlines, as authorized by the Federal Rule of Civil Procedure 6(b) and support of this Motion, and show the Court the following:

**I.  
Background**

1. Plaintiff filed her Original Complaint on April 26, 2018. [Dkt. 1].
2. Subsequent to Defendant Salinas filing a Motion to Dismiss [Dkt 3], Plaintiff filed an Amended Complaint. [Dkt.4].
3. On July 2, 2018, Defendant filed a Motion to Dismiss Plaintiff’s Amended Complaint [Dkt. 5].
4. The parties held a Rule 26(f) conference and filed their Joint Report and Proposed Scheduling Order on July 27, 2017 [Dkt. 9]. The Scheduling Order was entered on August 2, 2018. [Dkt. 10].

5. On December 17, 2018, the Court issued its ruling, denying Defendant's Motion to Dismiss. [Dkt. 13].

6. The parties have agreed to extend the remaining Scheduling Order deadlines by approximately thirty (30) days of the following deadlines, due to the fact that Court's ruling on Defendant's Motion to Dismiss just occurred:

- a. **Defendant's deadline to designate testifying experts and shall serve on all parties, but not file materials required by Fed. R. Civ. P. 26(a)(2)(B), from December 21, 2018 to January 22, 2019<sup>1</sup>;**
- b. **The deadline for the completion of all discovery is extended from February 28, 2019 to April 1, 2019.**
- c. **The deadline to file dispositive motions is extended from May 1, 2019 to June 1, 2019.**

7. Currently, there is no trial setting. Defendant asserts that this motion is not for delay, but to ensure efficiency to see that justice is done.

#### **CERTIFICATE OF CONFERENCE**

8. The undersigned conferred with Plaintiff's counsel via email correspondence and telephone conference, dated December 18, 2018, conferring on the extension of the remaining Scheduling Order deadlines enumerated above and offering deposition dates of Defendant and City of Olmos Park's Police Chief consistent with undersigned counsel's and clients' availability. *See Exhibit A.*

WHEREFORE PREMISES CONSIDERED, the Parties pray this Court grant this Joint Motion for Leave to Extend Scheduling Order Deadlines and extend the deadlines as enumerated above, and for other relief to which the parties are justly entitled.

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<sup>1</sup> The Court is closed for the National Martin Luther King Day on January 21, 2019.

Signed this 18<sup>th</sup> day of December, 2018.

Respectfully submitted,

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