

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA, SACRAMENTO DIVISION

Joseph Amey, as an individual, and Warren Amey, as an individual v.
Andrew Patterson, as an individual, Andrew Falvey, as an individual,
Najee Burge, as an individual, and County of Sacramento, as a
municipal corporation

Amey · No. 2:24-CV-02232-TLN-CSK · Decided January 15, 2026

SUMMARY

The parties stipulate to, and the United States District Court for the Eastern District of California orders, a 90-day modification of the scheduling deadlines in Joseph Amey and Warren Amey v. Andrew Patterson, et al. The order extends fact discovery to April 14, 2026, expert disclosures to May 15, 2026, supplemental expert disclosures to June 15, 2026, and the dispositive motion deadline to September 14, 2026.

CASE DETAILS

COURT	United States District Court for the Eastern District of California, Sacramento Division
WRITING FOR THE COURT	Troy L. Nunley
DECIDED	January 15, 2026
DOCKET	2:24-CV-02232-TLN-CSK
DISPOSITION	other
PROCEDURAL POSTURE	The parties jointly stipulated to modify the operative scheduling order and extend discovery, expert-disclosure, and dispositive-motion deadlines by approximately 90 days.
STANDARD OF REVIEW	A scheduling order may be modified only for good cause and by leave of court; the court primarily considers the diligence of the party seeking modification.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order

TOPICS

- discovery dispute
- civil procedure

PRACTICE AREAS

civil procedure

civil rights

QUESTIONS PRESENTED

1. Whether the parties demonstrated good cause to modify the operative scheduling order and extend the fact-discovery, expert-disclosure, and dispositive-motion deadlines.

HOLDINGS

1. The parties established good cause for modifying the operative scheduling order, and the court granted the stipulated request.

KEY QUOTATIONS

“Good cause appearing, the parties’ stipulated request to modify the Court’s operative Scheduling Order (ECF No. 15) is GRANTED.” (Order)

FACTUAL BACKGROUND

The parties exchanged initial disclosures, including a large volume of videos and other media, and informally stayed discovery while attempting settlement. After the settlement conference and unaccepted Rule 68 offers did not resolve the case, the parties resumed discovery and completed depositions of both plaintiffs and all three defendant deputies. Plaintiffs had not completed the depositions identified in their PMQ deposition notice because of scheduling constraints, and the parties sought additional time to complete limited discovery and related deadlines.

PROCEDURAL HISTORY

The court entered an operative scheduling order, later modified it, and the parties pursued settlement before undertaking substantial discovery. After settlement efforts failed, the parties completed several depositions but required additional time to complete depositions identified in plaintiffs' deposition notice. The parties jointly requested a further 90-day extension, which the court granted upon finding good cause.

DISPOSITION

other

CASES CITED

- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992)

OPINION

Amey

PER CURIAM.

LONGYEAR, LAVRA & CAHILL, LLP

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Andrew Patterson, Deputy Andrew Falvey, Deputy Najee Burge 8

UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA SACRAMENTO DIVISION

10 11 JOSEPH AMEY, as an individual, and) Case No.: 2:24-CV-02232-TLN-CSK 12 WARREN
AMEY, as an individual)

) STIPULATION AND ORDER TO

13 Plaintiffs) MODIFY THE SCHEDULING ORDER) 14 v.)) 15 ANDREW PATTERSON, as
an individual,) ANDREW FALVEY, as an individual,) 16 NAJEE BURGE, as an individual, and
)

COUNTY OF SACRAMENTO, as a)

17 municipal corporation,)) 18 Defendants.)) 19 Under Federal Rules of Civil Procedure 16(b)
(1)(A) and Local Rule 143, the parties, 20 through counsel, stipulate to and hereby respectfully
request a modification of this Court's 21 scheduling order. Pursuant to the Court's operative
Scheduling Order (ECF No. 15), the current 22 schedule is as follows: 23 Fact discovery cut
off: January 14, 2026 24 Expert witness disclosure: March 14, 2026 25 Supplemental expert
disclosure: April 13, 2026 26 Dispositive motion deadline: July 12, 2026 27 The parties in this
case request an extension of the foregoing deadlines by 90 days. With 28 respect to the extension
of fact discovery, the scope of discovery shall be limited to: (1) the 1 deposition of individuals
most knowledgeable about the topics listed in the notice of deposition 2 served by Plaintiffs on
December 8, 2025 ("PMQ Deposition Notice"); (2) no more than 5 3 interrogatories to Defendants
regarding whether Plaintiffs' arrests were subject to an internal 4 affairs investigation; and (3)
completion of Rule 26 disclosures. A true and correct copy of 5 Plaintiff's PMQ Deposition Notice
has been attached hereto as Exhibit 1. 6 The respective deadlines would thus be as follows: 7
Fact discovery cut off: April 14, 2026 8 Expert witness disclosure: May 15, 2026 9
Supplemental expert disclosure: June 15, 2026 10 Dispositive motion deadline: September 13,
2026 11 A scheduling order may only be modified upon a showing of good cause and by leave of
12 Court. Fed. R. Civ. Proc. 6(b)(1)(A); Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609
13 (9th Cir. 1992). In considering whether a party moving for a schedule modification has good 14
cause, the Court primarily focuses on the diligence of the party seeking the modification. 15
Johnson, 975 F.2d at 609. 16 The parties exchanged initial disclosures on March 14, 2025.
Defendants' disclosures 17 contained a large volume of videos and other media. (Declaration of
Nicole Cahill ("Cahill 18 Decl."), ¶ 2.) Shortly thereafter, the parties opted to attempt to resolve
the matter through a 19 settlement conference prior to undertaking substantial discovery. On April

25, 2025, the Court 20 set a settlement conference before Judge Riordan on June 17, 2025. (ECF No. 7.) The case did 21 not resolve at the settlement conference. (ECF No. 13.) Following the settlement conference, 22 Defendants served Rule 68 offers to Plaintiffs on August 27, 2025, but Plaintiffs did not accept. 23 (Cahill Decl., ¶ 4.) During these settlement efforts, the parties agreed to an informal stay of 24 discovery. (Cahill Decl., ¶ 4.) As it became apparent that the matter would not settle, on

25 September 12, 2025, counsel for Defendants reached out to Plaintiffs' counsel to determine 26 whether the parties required more time conduct discovery. (Cahill Decl., ¶ 5.) On October 8, 27 2025, Plaintiffs' counsel agreed to extend deadlines so that the parties could conduct additional 28 discovery. (Cahill Decl., ¶ 6.) The Court issued a modified scheduling order on October 17, 1 2025. (ECF No. 15) Since that date, the parties have worked diligently to complete several 2 depositions – including the depositions of both Plaintiffs and all three Defendant deputies. 3 (Declaration of Alexander Mahoney ("Mahoney Decl."), ¶ 2.) Nevertheless, due to scheduling 4 constraints, Plaintiffs have not yet completed the deposition(s) referred to in their PMQ 5 Deposition Notice. (Mahoney Decl., ¶ 3.) The parties are committed to working collaboratively 6 to arrange and complete these depositions. 7 For these reasons, good cause exists to modify the fact discovery cut off deadline and 8 related court deadlines. 9 IT IS SO STIPULATED. 10 Dated: January 14, 2026 LONGYEAR, LAVRA & CAHILL, LLP 11 12 By: /a/ Alexander Mahoney_____

VAN LONGYEAR

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NICOLE M. CAHILL

14 ALEXANDER MAHONEY

Attorneys for Defendants, 15 County of Sacramento, Deputy Andrew Patterson, Deputy Andrew Falvey, Deputy 16 Najee Burge 17 Dated: January 14, 2026 LAW OFFICE OF KELLAN PATTERSON 18 19 By: /s/ Kellan Patterson [as authorized on 1-14-26

KELLAN PATTERSON

20 Attorney for Plaintiffs 21 22 23 24 25 26 27 28

ORDER

Good cause appearing, the parties' stipulated request to modify the Court's operative Scheduling Order (ECF No. 15) is GRANTED. The relevant deadlines are ordered as follows: ° o Fact discovery cut off: April 14, 2026 o Expert witness disclosure: May 15, 2026 ' o Supplemental expert disclosure: June 15, 2026 o Dispositive motion deadline: September 14, 2026 9 10 DATED: January 15, 2026 1] 7, 13 Chief United States District Judge 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

STIPULATION AND ORDER TO MODIFY THE SCHEDULING ORDER

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