

**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.

OPINION

LONGYEAR, LAVRA & CAHILL, LLP 1 Van Longyear, CSB No.: 84189 Nicole M. Cahill, CSB No.: 287165 2 Alexander Mahoney, CSB No. 359995 555 University Avenue, Suite 280 3 Sacramento, CA 95825 Phone: 916-974-8500 4 Facsimile: 916-974-8510 Email: longyear@longyearlaw.com 5 cahill@longyearlaw.com mahoney@longyearlaw.com 6 Attorneys for Defendants, 7 County of Sacramento, Deputy Andrew Patterson, Deputy Andrew Falvey, Deputy Najee Burge 8 UNITED STATES DISTRICT COURT 9 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 to arrange and complete these depositions. For these reasons, good cause exists to modify the fact discovery cut off deadline and related court deadlines. IT IS SO STIPULATED. Dated: January 14, 2026 LONGYEAR, LAVRA & CAHILL, LLP By: /a/ Alexander Mahoney _____ VAN LONGYEAR NICOLE M. CAHILL ALEXANDER MAHONEY Attorneys for Defendants, County of Sacramento, Deputy Andrew Patterson, Deputy Andrew Falvey, Deputy Najee Burge Dated: January 14, 2026 LAW OFFICE OF KELLAN PATTERSON By: /s/ Kellan Patterson [as authorized on 1-14-26 KELLAN PATTERSON Attorney for Plaintiffs 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