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6 Attorneys for Plaintiff
 CENTEX HOMES

7
 8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

11 CENTEX HOMES,
 12 Plaintiff,
 13 vs.
 14 FINANCIAL PACIFIC INSURANCE
 COMPANY, CITATION INSURANCE
 15 COMPANY, PICO HOLDINGS, INC. and
 E&P CONCRETE CONSTRUCTION, INC.,
 16 Defendants.
 17

Case No.: 1:07-CV000569- AWI-SMS
 STIPULATION AND ORDER TO EXTEND
 CERTAIN PRE-TRIAL DEADLINES
 Courtroom: 7
 Magistrate Judge: Honorable Sandra M. Snyder
 Trial Date: March 16, 2010

18 RELATED CROSS-CLAIM
 19

20 Pursuant to the telephonic conference among the parties and the Court on July 15, 2009,
 21 the parties to the action, through their respective counsel, hereby agree and stipulate as follows,
 22 and request that the Court enter the following order approving the stipulation:
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24 WHEREAS the four above-entitled cases are not consolidated but are related by virtue of
 Plaintiff and Defendant Financial Pacific Insurance Company being parties to all four cases and
 25 Plaintiff having similar claims against the Defendants;
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27 WHEREAS certain discovery issues are common to each of the four cases, and the parties
 28 seek extension of certain pre-trial deadlines applicable to all four case based on the following facts;

1 WHEREAS the cases involve claims concerning numerous underlying state court actions
2 for construction defects in which there were hundreds of underlying plaintiffs;

3 WHEREAS the parties are still diligently exchanging documentation, made more time
4 consuming because of difficulty in locating and producing certain documents relevant to their
5 claims and defenses;

6 WHEREAS the parties, by and through their respective counsel, are still working to resolve
7 issues related to document conversion, accessibility and production, as well as to informally resolve
8 various discovery disputes that have arisen;

9 WHEREAS the parties have previously requested extension of discovery deadlines but
10 realize they will be unable to complete discovery by the current discovery deadlines for the reasons
11 mentioned above;

12 WHEREAS, counsel have been recently made aware of the death of Defendant STEVEN
13 MICHAEL PARSONS;

14 WHEREAS the person most knowledgeable for Defendant CARR BUSINESS
15 ENTREPRISES, INC. has been unavailable for deposition;

16 WHEREAS, the parties have met and conferred on pre-trial deadlines at length and declare
17 that this stipulation has been entered into based on a good faith analysis of the time necessary to
18 conclude their discovery based on facts known to them at this time, and of the need to have non-
19 expert discovery completed prior to expert disclosures;

20 WHEREAS, the mediation, previously scheduled for September 1, 2009, has been
21 continued due to trial conflicts of defense counsel and to allow parties to complete discovery;

22 WHEREAS, this stipulation presents dates in accordance with the new trial date set by this
23 Court for March 16, 2010;

24 IT IS HEREBY STIPULATED by and among the parties to this action, through their
25 respective counsel below, that the following deadlines may be extended as set forth below:
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<u>Event</u>	<u>Current</u>	<u>Revised deadline</u>
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	<u>deadline</u>	
Close of non-expert discovery	7/17/09	11/6/09
Expert disclosure	7/22/99	11/20/09
Supplemental expert disclosure	8/5/09	12/04/09
Close of expert discovery	8/15/09	12/18/09
Filing non-dispositive motion	8/21/09	12/24/09
Filing dispositive motion	8/21/09	12/24/09
Pre-trial conference date	8/21/09	1/29/10
Trial Date	10/6/09	3/16/10

DATED: August 10, 2009

HOWREY LLP

By /s/ Aaron Gruber
AARON R. GRUBER
Attorneys for Plaintiff CENTEX HOMES

DATED: August 10, 2009

FOTOUHI EPPS HILLGER GILROY LLP

By /s/ Mark Divelbiss
MARK DIVELBISS
Attorneys for Defendant and Cross-Claimant
FINANCIAL PACIFIC INSURANCE COMPANY

DATED: August 10, 2009

ANWYL SCOFFIELD & STEPP, LLP

By /s/ Pamela Lewis
PAMELA LEWIS
Attorneys for Defendant E&P CONCRETE
CONSTRUCTION, INC.

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DATED: August 10, 2009

SINNOTT, DITO, MOURA & PUEBLA P.C.

By /s/ Stephen Wong
STEPHEN WONG
Attorneys for Cross-Defendant ZURICH AMERICAN
INSURANCE COMPANY

DATED: August 10, 2009

SELMAN BREITMAN LLP

By /s/ Gregory Newman
GREGORY NEWMAN
Attorneys for Defendants and Cross-Defendants,
CITATION INSURANCE COMPANY, PICO
HOLDINGS, INC.

DATED: August 10, 2009

ARCHER NORRIS PLLC

By /s/ Sean White
SEAN WHITE
Attorneys for Defendant and Cross-Claimant
FINANCIAL PACIFIC INSURANCE COMPANY

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RULE 7-131(e) CERTIFICATION

I, Aaron R. Gruber, hereby attest, pursuant to this Court’s Rule 7-131(e), that each of the other counsel identified above have authorized the submission of this Stipulation and [Proposed] Order on that counsel’s behalf.

Executed this 10th day of August, 2009, at Sacramento, California.

/s/ Aaron R. Gruber
Aaron R. Gruber
Attorney for Plaintiff CENTEX HOMES

ORDER

The parties having so stipulated, and good cause appearing, the Court hereby revises its current Scheduling Conference Order (Document 50) to incorporate the revised deadlines set forth below:

<u>Event</u>	<u>Current deadline</u>	<u>Revised deadline</u>
Close of non-expert discovery	7/17/09	11/6/09
Expert disclosure	7/22/99	11/20/09
Supplemental expert disclosure	8/5/09	12/04/09
Close of expert discovery	8/15/09	12/18/09
Filing non-dispositive motion	8/21/09	12/24/09
Filing dispositive motion	8/21/09	12/24/09
Pre-trial conference date	8/21/09	1/29/10
Trial Date	10/6/09	3/16/10

DATED: 8/20/2009 _____
/s/ Sandra M. Snyder
Magistrate Judge of the United States District Court