

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JAMES B. HICKS, SBN 109117
GARY W. PARK, SBN 173390
ALLISON H.L. MILLER, SBN 253007
HICKS | PARK LLP
824 Wilshire Boulevard, Suite 300
Los Angeles, CA 90017
Tel: (213) 612-0007 / Fax: (213) 612-0373
jhicks@hicksparklaw.com

Attorneys for Defendant and Counterclaimant San Joaquin Valley Railroad Company, and Defendant Tulare Valley Railroad Company, and for Counsel James B. Hicks

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

BNSF RAILWAY COMPANY,

Plaintiff,

v.

SAN JOAQUIN VALLEY RAILROAD COMPANY, et al.,

Defendants.

Case No. 1:08-CV-01086-AWI-SMS

STIPULATION FOR MOTION TO AMEND SCHEDULING ORDER; ORDER

Trial Date: May 11, 2010

This Stipulated Joint Motion is brought on behalf of all parties. The parties hereby jointly move the Court to extend certain Scheduling Order deadlines as stated below. In support of their motion, the parties state:

The parties request additional time to review and analyze the supplemental and rebuttal expert disclosures, and to depose the supplemental / rebuttal experts.

Pursuant to the parties' agreement to schedule supplemental / rebuttal expert witness depositions for April 7, 2010 in Washington, D.C., the parties hereby agree, subject to the Court's approval, to the following amended scheduling order deadline:

The last day to depose or take any other discovery from either of the two supplemental / rebuttal expert witnesses shall be April 7, 2010.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BNSF reserves its right to challenge SJVR's rebuttal report or specific matters addressed therein as allegedly untimely.

Dated: January 29, 2010

Briggs and Morgan, P.A.

By: s/ Paul J. Hemming
Timothy R. Thornton
Paul J. Hemming
Attorneys for Plaintiff
BNSF Railway Company, a Delaware Corporation

Dated: January 29, 2010

Hicks | Park LLP

By: s/ James B. Hicks
James B. Hicks
Attorneys for Defendants and Counterclaimant

ORDER

Pursuant to the parties' agreement, the Court hereby amends the following scheduling order deadline:

The last day to depose or take any other discovery from either of the two supplemental / rebuttal expert witnesses shall be April 7, 2010.

Dated: January 29, 2010

/s/ Sandra M. Snyder
U.S. Magistrate Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on January 29, 2010, the attached document was filed electronically via the Court’s Electronic Case Filing System (ECF). Notice of the filing will be sent to all counsel of record, and the parties may also access it via ECF.

/s/ Penny L. Johnson
Penny L. Johnson