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(SPACE BELOW FOR FILING STAMP ONLY)

Attorneys for Defendant
THE RAYMOND CORPORATION

UNITED STATES DISTRICT COURT

EASTERN DISTRICT

URBANO SERQUINA

Plaintiffs,

v.

THE RAYMOND CORPORATION, and
DOES 1 through 20,

Defendants.

Case No. 1:08-CV-01741 AWI GSA

**STIPULATION TO AMEND FIRST
AMENDED SCHEDULING CONFERENCE
ORDER, TO CONTINUE TRIAL DATE,
AND ORDER THEREON**

Proposed New Dates:

Discovery Deadlines:

Non-Expert Disclosure: September 7, 2010

Expert Disclosure:

Plaintiff: September 14, 2010

Defendant: September 28, 2010

Supp. Expert Disclosures: October 12, 2010

**Non-Expert Disc. Cut-Off: November 19,
2010**

Expert Disc. Cut-Off: November 19, 2010

Motion Deadlines:

Non Dispositive: December 10, 2010

Dispositive: December 31, 2010

**Settlement Conference: February 28, 2011
10:30 a.m., Judge Gary S. Austin**

**Pre-Trial Conference: May 16, 2011
8:30 a.m., Judge Anthony W. Ishii**

**Trial (Jury: 10 days): June 27, 2011
8:30 a.m., Judge Anthony W. Ishii**

1 STIPULATION

2 WHEREAS, Plaintiff URBANO SERQUINA and Defendant THE RAYMOND
3 CORPORATION previously submitted a Mandatory Joint Scheduling Conference Report to the
4 Court, and the Court, by Scheduling Conference Order issued January 20, 2009, established a
5 schedule and trial date for the case;

6 WHEREAS, this Court amended the initial Scheduling Conference Order on March 30,
7 2010, based on a stipulation by the parties.

8 WHEREAS, Plaintiff and Defendant have not yet completed fact witness and expert
9 discovery in the case;

10 WHEREAS, Plaintiff and Defendant have agreed to extend the schedule set forth in the
11 March 30, 2010 First Amended Scheduling Conference Order and continue the trial date as set
12 forth in the (Proposed) Scheduling Order below.

13 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between
14 Plaintiff and Defendant, through their respective counsel of record, and they each request that the
15 Court enter an order amending the March 30, 2010 First Amended Scheduling Conference Order
16 to adjust the schedule in the case as follows:

- 17 1. The non-expert disclosure deadline shall be extended to September 7,
18 2010.
- 19 2. Plaintiff's expert disclosure deadline shall be extended to September 14,
20 2010.
- 21 3. Defendant's expert disclosure deadline shall be extended to September 28,
22 2010.
- 23 4. The supplemental expert disclosure deadline shall be extended to October
24 12, 2010.
- 25 5. The deadline for non-expert discovery shall be extended to November 19,
26 2010.
- 27 6. The deadline for expert discovery shall be extended to November 19, 2010.

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- 7. The non-dispositive motion deadline shall be extended to December 10, 2010.
- 8. The dispositive motion deadline shall be extended to December 31, 2010.
- 9. A Settlement Conference shall be held in this case at _____ on February _____, 2011 before The Honorable Gary S. Austin, Magistrate Judge.
- 10. A Pre-Trial Conference shall be held in this case at _____ on May _____, 2011 before The Honorable Anthony W. Ishii, Judge.
- 11. The Trial of this matter shall commence at _____ on June _____, 2011 before The Honorable Anthony W. Ishii, Judge.

Dated: August 12, 2010

LAW OFFICES OF EDWARD B. CHATOIAN

By: /s/ Edward B. Chatoian (as authorized on August 11, 2010)

Edward B. Chatoian
Attorney for Plaintiff
URBANO SERQUINA

Dated: August 12, 2010

McCORMICK, BARSTOW, SHEPPARD WAYTE & CARRUTH LLP

By: /s/ Michael F. Ball

Michael F. Ball
Attorneys for Defendant
THE RAYMOND CORPORATION

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SECOND AMENDED SCHEDULING CONFERENCE ORDER

The parties having so stipulated and agreed and good cause appearing, the March 30, 2010 First Amended Scheduling Conference Order is hereby amended as follows:

1. The non-expert disclosure deadline shall be extended to September 7, 2010.
2. Plaintiff’s expert disclosure deadline shall be extended to September 14, 2010.
3. Defendant’s expert disclosure deadline shall be extended to September 28, 2010.
4. The supplemental expert disclosure deadline shall be extended to October 12, 2010.
5. The deadline for non-expert discovery shall be extended to November 19, 2010.
6. The deadline for expert discovery shall be extended to November 19, 2010.
7. The non-dispositive motion deadline shall be extended to December 10, 2010.
8. The dispositive motion deadline shall be extended to December 31, 2010.
9. A Settlement Conference shall be held in this case at 10:30 a.m. on February 28, 2011 before The Honorable Gary S. Austin, Magistrate Judge.
10. A Pre-Trial Conference shall be held in this case at 8:30 a.m. on **May 18, 2011*** before The Honorable Anthony W. Ishii, Judge.
11. The Trial of this matter shall commence at 8:30 a.m. **on June 28, 2011*** before The Honorable Anthony W. Ishii, Judge.

*As Chief Judge Anthony W. Ishii hears pretrial conferences Wednesdays through Fridays and begins trials on Tuesdays, the Pre-Trial Conference date is set for May 18, 2011, instead of May 16, 2011 as stipulated, and Trial date is set for June 28, 2011, instead of June 27, 2011 as stipulated.

IT IS SO ORDERED.

Date: August 16, 2010

/s/ Gary S. Austin
Gary S. Austin
U.S. Magistrate Judge