

1 KATHERINE M. HOGAN (SBN 225597)  
 2 CALIFORNIA RURAL LEGAL ASSISTANCE, INC.  
 3 801 15th Street, Ste., B  
 4 Modesto, CA 95354  
 Telephone: (209) 577-3811  
 Fax: (209) 577-1098  
 khogan@crla.org

5 ILENE J. JACOBS (SBN 126812)  
 6 AUSTA WAKILY (SBN 257424)  
 CALIFORNIA RURAL LEGAL ASSISTANCE, INC.  
 7 511 D Street  
 Marysville, CA 95901  
 Telephone: (530) 742-7235  
 8 Fax: (530) 741-0854  
 ijacobs@crla.org  
 9 awakily@crla.org

10 *Other counsel for plaintiff appear*  
 11 *on the next page*

12 Attorneys for Plaintiff Josephine House,  
 13 by her guardian ad litem, Public Guardian  
 of Stanislaus County

14  
 15 UNITED STATES DISTRICT COURT  
 16 EASTERN DISTRICT OF CALIFORNIA

18 JOSEPHINE HOUSE, by her guardian ad  
 19 litem PUBLIC GUARDIAN OF  
 20 STANISLAUS COUNTY,

21 Plaintiff,

22 vs.

23 CAL STATE MORTGAGE CO., INC., a  
 California corporation; CAL STATE HOME  
 24 LOANS, INC., a California corporation;  
 ALEXANDER GOMEZ; BENJAMIN  
 25 CAPITAL, INC., a California corporation;  
 MURPHY SABATINO; LARRY  
 26 MENTON; and JOAN HOUSE, a necessary  
 party,

27 Defendants.

CASE NO. 1:08-CV-01880-OWW-GSA

JOINT STIPULATION AND ORDER  
 REGARDING MODIFICATION OF  
 SCHEDULING ORDER

28

1 *Additional Attorneys for Plaintiff Josephine House,*  
2 *by her guardian ad litem, Public Guardian*  
3 *of Stanislaus County*

4 MAEVE ELISE BROWN (SBN 137512)  
5 NOAH ZINNER (SBN 247581)  
6 HOUSING AND ECONOMICS RIGHTS ADVOCATES  
7 P.O. Box 29435  
8 Oakland, CA 94604  
9 Telephone: (510) 271-8443  
10 Fax: (510) 868-4521  
11 melisebrown@heraca.org  
12 nzinner@heraca.org

13 CHRISTOPHER A. BRANCART (SBN 128475)  
14 ELIZABETH BRANCART (SBN 122092)  
15 BRANCART & BRANCART  
16 P.O. Box 686  
17 Telephone: (650) 879-0141  
18 Fax: (650) 879-1103  
19 cbrancart@brancart.com  
20 ebrancart@brancart.com  
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1 Plaintiff Josephine House, by her guardian ad litem, Public Guardian of Stanislaus  
2 County, along with Defendants Cal State Mortgage Co., Inc., Cal State Home Loans, and  
3 Alexander Gomez (collectively “Cal State”), and Defendant Murphy Sabatino (“Sabatino”)  
4 (collectively with Cal State, “Defendants”) hereby stipulate and seek leave pursuant to Rule  
5 16(b) of the Federal Rules of Civil Procedure to extend briefly the deadlines for expert witness  
6 and rebuttal expert disclosure in the Order Regarding Modification of Scheduling Order filed on  
7 October 8, 2009 (“Modified Scheduling Order”). Cal State and Sabatino are the only named  
8 defendants who have appeared in this action. The extension requested by the parties will not  
9 affect the other dates set by the Court in the Modified Scheduling Order. Good cause exists for  
10 this request as follows.

11 On August 17, 2009, Plaintiff served by mail a deposition notice for Sabatino, which set  
12 the deposition for September 29, 2009. On Friday, September 25, 2009, Sabatino’s counsel  
13 notified Plaintiff and Cal State that Sabatino would not be appearing due to an unforeseen  
14 emergency. The deposition was rescheduled for November 5, 2009. On November 4, 2009,  
15 Sabatino’s counsel faxed a letter to counsel stating Sabatino would not be available for his  
16 deposition the following day due to illness. Sabatino’s deposition has been rescheduled to  
17 November 19, 2009. In light of Sabatino’s status as a named party in this action, Plaintiff and  
18 Defendants stipulate to an extension of the expert witness and rebuttal expert disclosure  
19 deadlines so that the parties’ experts may have Sabatino’s deposition transcript available before  
20 finalizing and disclosing their written reports.

21 The parties have diligently submitted this Stipulation. This is the parties’ second request  
22 for a modification to the Scheduling Order filed on July 28, 2009. The parties only request an  
23 extension of their expert witness and rebuttal expert disclosure deadlines. Accordingly, the  
24 parties respectfully request that the Court modify the Modified Scheduling Order by extending  
25 the deadline for Expert Witness Disclosure from November 13, 2009 to December 1, 2009, and  
26 by extending the deadline for Rebuttal or Supplemental Expert Disclosure from December 14,  
27 2009 to January 5, 2010.

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IT IS SO STIPULATED.

Dated: November 13, 2009 CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

/s/ Katherine M. Hogan

\_\_\_\_\_  
By: Katherine M. Hogan  
Attorneys for Plaintiff Josephine House,  
by her guardian ad litem, the Public Guardian of  
Stanislaus County

Dated: November 13, 2009 DOWNEY BRAND LLP

/s/ Annie S. Amaral

\_\_\_\_\_  
By: Annie S. Amaral  
Attorneys for Defendants Cal State Mortgage Co., Inc.,  
Cal State Home Loans, and Alexander Gomez

Dated: November 13, 2009 ROSSI, HAMMERSLOUGH, REISCHL & CHUCK

/s/ Eric Gravink

\_\_\_\_\_  
By: Eric Gravink  
Attorneys for Defendant Murphy Sabatino

Pursuant to stipulation, IT IS SO ORDERED.

IT IS SO ORDERED.

Dated: November 13, 2009

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE