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5 Attorneys for Defendant
MURPHY SABATINO

6
7 UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA
9

11 JOSEPHINE HOUSE, by her guardian ad
Litem, PUBLIC GUARDIAN OF STANISLAUS
12 COUNTY,

13 Plaintiff,

14 vs.

15 CAL STATE MORTGAGE, CO., INC., a
California corporation; CAL STATE HOME
16 LOANS, a California corporation;
ALEXANDER GOMEZ; BENJAMIN
17 CAPITAL, INC. a California corporation,
SABATINO MURPHY; LARRY MENTON;
18 and JOAN HOUSE,

19 Defendants.

Case No.: 1:08-CV-01880-OWW-GSA

**JOINT STIPULATION AND ORDER
REGARDING MODIFICATION OF
SCHEDULING ORDER**

Judge: Oliver W. Wanger
Dept.: Courtroom 3, Seventh Floor

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21 Defendant MURPHY SABATINO (hereinafter "Sabatino") along with Plaintiff JOSEPHINE
22 HOUSE, by her guardian ad litem, PUBLIC GUARDIAN OF STANISLAUS COUNTY and
23 Defendants CAL STATE HOME MORTGAGE COMPANY, INC., CAL STATE HOME LOANS
24 and ALEXANDER GOMEZ (collectively "Cal State") hereby stipulate and seek leave pursuant to
25 Rule 16(b) of the Federal Rules of Civil Procedure to extend the deadlines for expert witness and
26 rebuttal expert disclosure in the Order Regarding Modification of Scheduling Order filed on
27 November 13, 2009 ("Modified Scheduling Order"). Cal State and Sabatino are the only named
28 Defendants who have appeared in this action. The extension requested by the parties will not effect

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1 the other dates currently set by the Court in the Modified Scheduling Order. Good cause exists for
2 this request as follows:

3 The parties have been conducting depositions and written discovery. Depositions for the Cal
4 State Defendants and Murphy Sabatino have been completed. The parties are in the process of
5 scheduling the depositions of Plaintiff Josephine House and the guardian ad litem. Plaintiff has also
6 indicated that they are considering amending the Complaint to add new parties. There is a Mandatory
7 Settlement Conference set for January 28, 2010. In light of the foregoing, and in order for the parties
8 to reduce costs for expert discovery pending the Mandatory Settlement Conference, and potential
9 amendment of the complaint, the parties wish to continue the expert disclosure and preparation of
10 reports until after the Mandatory Settlement Conference has occurred.

11 The parties have diligently submitted this stipulation. This is the party's third request for
12 modification to the Scheduling Order initially filed on July 28, 2009. Accordingly, the parties
13 respectfully request the Court modify the Modified Scheduling Order as follows:

14	Mandatory Settlement Conference	January 28, 2010 (same)
15	Expert Disclosure	February 5, 2010
16	Expert Rebuttal	February 26, 2010
17	Discovery Cutoff	March 12, 2010
18	Non-Dispositive Motions	March 19, 2010
19	Dispositive Pre-Trial Motions	March 26, 2010
20	Pre-Trial Conference	April 26, 2010 (same)
21	Trial	June 8, 2010 (same)

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23 IT IS SO STIPULATED.

24 Dated: December ____, 2009

CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

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Dated: December ____, 2009

DOWNEY BRAND LLP

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

Dated: December 1, 2009

ROSSI HAMERSLOUGH REISCHL & CHUCK

/s/ ERIC A. GRAVINK
By: Eric A. Gravink
Attorney for Defendant Murphy Sabatino

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: __December 2, 2009__

By /s/ OLIVER W. WANGER
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF CALIFORNIA

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