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 15 UNITED STATES DISTRICT COURT
 16 EASTERN DISTRICT OF CALIFORNIA
 17

18 JAMES R. TAPP,)	CASE NO.: 1:08-CV-1907-OWW-GSA
)	(Formerly FSC Case No. 08 CE CG 03888
19 Plaintiffs,)	DSB)
)	
20 v.)	STIPULATION AND ORDER TO
)	CONTINUE EXPERT DISCOVERY
21 THOR INDUSTRIES, INC., a corporation;)	CUT-OFF AND SETTLEMENT
22 FREIGHTLINER, LLC, a limited liability)	CONFERENCE DATES
company; and DOES 1 through 10,)	
23 inclusive, et al.)	Complaint Filed: 11/06/08
)	Trial Date: 09/08/10
24 Defendants.)	

25 The parties hereby stipulate as follows:

26 WHEREAS, pursuant to the Scheduling Conference Order filed in this action on May
 27 7, 2009, the parties' discovery cut-off (including expert discovery) is March 15, 2010, the
 28 Settlement Conference is scheduled for March 24, 2010 before the Honorable Gary S. Austin

1 at 10:00 a.m., and the Trial is scheduled for September 8, 2010 before the Honorable Oliver W.
2 Wanger; and

3 WHEREAS, the parties are exploring settlement options and therefore are in agreement
4 on a mutual continuation of the discovery cut-off and Settlement Conference dates only for
5 thirty (30) days;

6 THEREFORE, IT IS HEREBY STIPULATED by the parties hereto that the Court may
7 enter an Order extending the dates for the parties to complete discovery and continue the
8 Settlement Conference for thirty (30) days, as follows:

- 9 1. Discovery Cut-Off (including expert depositions) -- April 14, 2010.
- 10 2. Settlement Conference with Judge Austin -- April 21, 2010 at 10:00 a.m., or to
11 a time and date convenient with the Court's calendar.
- 12 3. The other dates in the Scheduling Order are to remain in place.

13 **IT IS SO STIPULATED.**

14 KEMNITZER, BARRON & KRIEG, LLP

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16 Dated: 2-1-10

17 By: /s/ William M. Krieg
18 William M. Krieg, Esq.
19 Attorney for Plaintiff JAMES R. TAPP

20 SUMMERS & SHIVES, A.P.C.

21 Dated: 2-2-10

22 By: /s/ Dolores E. Gonzales
23 Dolores E. Gonzales, Esq.
24 Attorney for Defendant FOUR WINDS
25 INTERNATIONAL CORPORATION

26 MURCHISON & CUMMING, LLP

27 Dated: 2-2-10

28 By: /s/ Richard C. Moreno
Richard C. Moreno, Esq.
Attorney for Defendant FREIGHTLINER, LLC

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1 **ORDER**

2 After reviewing the above Stipulation, and good cause appearing, the Court hereby
3 Orders:

4 1. The Discovery Cut-Off, including expert depositions, shall be completed by April
5 14, 2010; and

6 2. The Settlement Conference with Judge Austin will be continued to April 22, 2010
7 at 10:30 a.m. in Courtroom 10.

8
9 IT IS SO ORDERED.

10 **Dated: February 2, 2010**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE