

1 DAVID L. PERRAULT, #67109  
2 JENNIFER S. MCGEORGE, #221679  
3 **HARDY ERICH BROWN & WILSON**  
4 A Professional Law Corporation  
5 1000 G Street, 2nd Floor  
6 Sacramento, California 95814  
7 P.O. Box 13530  
8 Sacramento, California 95853-3530  
9 (916) 449-3800 • Fax (916) 449-3888

10 Attorneys for Defendant Forest Meadows Owners Association

11 LAWRENCE A. BOHM, #208716  
12 **BOHM LAW GROUP**  
13 4600 Northgate Blvd., Suite 210  
14 Sacramento, CA 95834  
15 (916) 927-5574 • Fax (916) 927-2046

16 ERIKA M. GASPAR, #238117  
17 **LAW OFFICE OF ERIKA M. GASPAR**  
18 8880 Cal Center Drive, Suite 400  
19 Sacramento, CA 95826  
20 (916) 361-6505  
21 (916) 361-6515

22 GREGORY R. DAVENPORT, #154403  
23 **LAW OFFICES OF GREGORY R. DAVENPORT**  
24 3439 Brookside Road, Suite 205  
25 Stockton, CA 95219  
26 Telephone: (209) 955-1999  
27 Facsimile: (209) 475-4951

28 Attorneys for Plaintiff Michelle Carpenter

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHELLE CARPENTER ,

Plaintiff,

v.

FORREST MEADOWS OWNERS  
ASSOCIATION; and DOES 1-100 inclusive ,

Defendants.

Case No. 1:09-CV-01918 DLB

**JOINT STIPULATION TO EXTEND  
NON-EXPERT AND EXPERT  
DISCOVERY DEADLINES FOR  
LIMITED PURPOSES**



1000 G Street, 2d Floor  
Sacramento, CA 95814  
phone (916) 449-3800  
fax (916) 449-3888

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

## I. STIPULATION

The parties to the above-entitled action, by and through their counsel, do hereby stipulate to extend the non-expert discovery deadline from December 10, 2010 to December 15, 2010 for the limited purpose of completing the noticed deposition of Liberty Smith. The continuance of the non-expert discovery deadline is requested because despite best efforts, the parties are unable to schedule Ms. Smith's deposition prior to the discovery deadline of December 10, 2010 due to availability of the witness and counsel.

The parties further stipulate to extend expert disclosure deadlines by four (4) business days for each party, as follows:

**Plaintiff:** From November 22, 2010 to November 30, 2010

**Defendant:** From December 10, 2010 to December 16, 2010

The continuance of the expert disclosure deadline(s) is requested because despite best efforts, the parties are unable to make all appropriate disclosures prior to their respective deadlines due to the schedules of the experts and counsel.

Moreover, in accordance with the aforementioned stipulated extension of time for expert disclosure by both parties, the parties do hereby stipulate to likewise extend the expert discovery deadline as well as the non-dispositive motion deadline from January 21, 2011 to January 27, 2011.

All other deadlines are to remain intact.

## II. EXISTENCE OF GOOD CAUSE

Good cause exists for the requested continuance(s) in view of important calendar conflicts of both witnesses and counsel, and the parties' inability to complete all non-expert and expert discovery prior to the current deadline(s).

Specifically, Plaintiff's counsel noticed the deposition of Liberty Smith prior to the December 10, 2010 deadline. (Bohm Decl. ¶ 2; McGeorge Dec. ¶ 2). Ms. Smith was unavailable to attend her scheduled deposition due to a death in her family. (McGeorge Decl. ¶ 3; Bohm Dec. ¶ 3). Due to the scheduling of other depositions in this case, the

1 respective schedules of counsel for the parties, and to allow for an appropriate  
2 bereavement period for Ms. Smith, Ms. Smith's deposition cannot be completed prior to  
3 the non-expert discovery deadline of December 10, 2010. (McGeorge Decl. ¶ 4; Bohm  
4 Decl. ¶4).

5 Moreover, due to the schedule of Plaintiff's expert witness, a brief extension of  
6 the expert disclosure deadline is necessary to allow sufficient time to complete and  
7 submit the required expert report. (Bohm Decl. ¶ 5). A corresponding extension of  
8 time for the defense's expert witness disclosure is therefore requested, in the interest of  
9 fairness, such that each side has an equivalent extension. (McGeorge Decl. ¶ 5; Bohm  
10 Decl. ¶ 5).

11 Finally, good cause exists to extend the expert discovery and non-dispositive  
12 motion deadlines in accordance with the extension(s) outlined above, to ensure  
13 sufficient time to complete expert discovery and depositions, and to file any non-  
14 dispositive motions, if necessary. (McGeorge Decl. ¶ 6; Bohm Decl. ¶ 6).

15 For these reasons, all counsel for the parties believe that the interests of justice  
16 and efficiency would be served by an Order granting the requested continuance(s).

17  
18 IT IS SO STIPULATED.

19  
20 Dated: November 29, 2010

21 DAVID L. PERRAULT  
22 JENNIFER S. MCGEORGE  
23 HARDY ERICH BROWN & WILSON

24 By /s/ Jennifer S. McGeorge  
25 Attorneys for Defendant  
26 FOREST MEADOWS OWNERS ASSOCIATION

27  
28 Dated: November 29, 2010

29 LAWRENCE A. BOHM  
30 BOHM LAW GROUP

31 By /s/ Lawrance A. Bohm  
32 Attorneys for Plaintiff  
33 MICHELLE CARPENTER

34  
35  
36  
37  
38 ///



1000 G Street, 2d Floor  
Sacramento, CA 95814  
phone (916) 449-3800  
fax (916) 449-3888

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

Dated: November 29, 2010

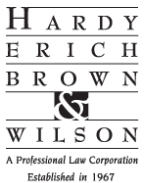
ERIKA M. GASPAR  
LAW OFFICES OF ERIKA M. GASPAR

By /s/ Erika M. Gaspar  
Attorneys for Plaintiff  
MICHELLE CARPENTER

Dated: November 29, 2010

GREGORY R. DAVENPORT  
LAW OFFICES OF GREGORY R. DAVENPORT

By /s/ Gregory R. Davenport  
Attorneys for Plaintiff  
MICHELLE CARPENTER



1000 G Street, 2d Floor  
Sacramento, CA 95814  
phone (916) 449-3800  
fax (916) 449-3888

ORDER

1  
2 Based upon the stipulation of the parties and good cause appearing, the Court  
3 orders the following:

4 1. The deadline for completion of non-expert discovery shall be continued  
5 from December 10, 2010 to **December 15, 2010** for the limited purpose of taking the  
6 deposition of Liberty Smith;

7 2. The expert disclosure deadlines shall be continued by four (4) business  
8 days for each party, as follows:

9 Plaintiff: From November 22, 2010 to **November 30, 2010**

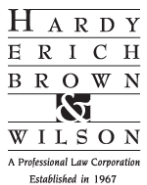
10 Defendant: From December 10, 2010 to **December 16, 2010**

11 3. The expert discovery and non-dispositive motion deadline shall be  
12 extended by four (4) business days, from January 21, 2011 to **January 27, 2011**.

13  
14 IT IS SO ORDERED.

15 Dated: **December 1, 2010**

*/s/ Dennis L. Beck*  
16 UNITED STATES MAGISTRATE JUDGE



27 1000 G Street, 2d Floor  
28 Sacramento, CA 95814  
phone (916) 449-3800  
fax (916) 449-3888