

1 Jody I. LeWitter, Bar No. 124794
Benjamin J. Siegel, Bar No. 256260
2 SIEGEL & LeWITTER
1939 Harrison Street, Suite 307
3 Oakland, California 94612
(510) 452-5000
4 (510) 452-5004 (fax)
jlewitter@sl-employmentlaw.com
5 bsiegel@sl-employmentlaw.com

6 Attorneys for Plaintiff Randolph Evans

7
8 UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
9

10
11 RANDOLPH EVANS,) Case No. 1:09-CV-02055-- -SMS
12 Plaintiff,)
v.) **STIPULATION AND ORDER VACATING**
13) **DATE FOR DISCLOSURE OF EXPERTS;**
SEARS LOGISTICS SERVICES, INC.;) **ORDER**
14 SEARS, ROEBUCK & CO.; SEARS)
15 HOLDINGS CORP.)
16 Defendants.) Judge: Hon. Oliver W. Wanger
Action Filed: November 12, 2009
Trial Date: January 24, 2012
17

18 NOW COME THE PARTIES, BY AND THROUGH THEIR COUNSEL, AND
19 HEREBY STIPULATE AS FOLLOWS:

20 WHEREAS, the parties are to exchange expert reports on October 3, 2011, and rebuttal
21 expert reports on October 21, 2011, and to complete expert discovery by November 18, 2011;

22 WHEREAS, due to the retirement of Judge Wenger all pending court dates in this matter
23 have been vacated including but not limited to a motion for summary judgment on September 19,
24 2011 and a trial date on January 24, 2012; and

25 WHEREAS, the parties agree that, given the change in the dates above it would also
26 make sense to vacate the dates for expert reports, rebuttal reports and discovery;

27 ///
28

*Siegel &
LeWitter*

1939 Harrison Street
Suite 307
Oakland, CA 94612
510-452-5000
510-452-5004 (fax)

1 ///

2 IT IS HEREBY STIPULATED that the dates set for expert reports, rebuttal reports and
3 discovery are vacated, with said dates to be reset when the Court resets the dates for summary
4 judgment and trial.

5

6 DATED: September 22, 2011

SIEGEL & LEWITTER

7

8

By: /s/ Jody I. LeWitter
Jody I. LeWitter
Benjamin J. Siegel

9

10

Attorneys for Plaintiff Randolph Evans

11

12 DATED: September 22, 2011

LITTLER MENDELSON,
A Professional Corporation

13

14

By: /s/ Dennis M. Brown
Dennis M. Brown
Erica H. Kelley
Nathalie A. Le Ngoc

15

16

Attorneys For Defendants Sears Logistics
Services, Inc., Sears Roebuck & Co., and
Sears Holdings Corporation

17

18

19

20

ORDER

21

22 This matter having come before the Court upon the stipulation of the parties, and good
23 cause so appearing, it is hereby Ordered that the dates for expert reports, rebuttal reports and
24 expert discovery are hereby vacated, to be reset when the dates for summary judgment and trial
25 are reset.

**Siegel &
LeWitter**

1939 Harrison Street
Suite 307
Oakland, CA 94612
510-452-5000
510-452-5004 (fax)

25

26

IT IS SO ORDERED.

27

28

Dated: September 28, 2011

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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

IT IS SO ORDERED.

Dated: September 28, 2011

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

*Siegel &
LeWitter*

*1939 Harrison Street
Suite 307
Oakland, CA 94612
510-452-5000
510-452-5004 (fax)*