

1 THOMAS M. HERLIHY (SBN 83615)  
JOHN BURNITE (SBN 162223)  
2 LISA S. PASSALACQUA (SBN 161990)  
WILSON, ELSER, MOSKOWITZ,  
3 EDELMAN & DICKER LLP  
4 525 Market Street, 17<sup>th</sup> Floor  
San Francisco, CA 94105  
Telephone: (415) 433-0990  
5 Facsimile: (415) 434-1370  
thomas.herlihy@wilsonelser.com  
6 [john.burnite@wilsonelser.com](mailto:john.burnite@wilsonelser.com)  
[lisa.passalacqua@wilsonelser.com](mailto:lisa.passalacqua@wilsonelser.com)  
7

8 Attorneys for Defendants,  
NATIONWIDE MUTUAL INSURANCE  
9 COMPANY and AMCO INSURANCE  
COMPANY

10 ROGER M. SCHRIMP (SBN 039379)  
11 GEORGE P. RODARKIS (SBN 222214)  
DAMRELL, NELSON, SCHRIMP,  
12 PALLIOS, PACHER & SILVA  
13 1601 I. Street, Fifth Floor  
Modesto, CA 95354  
14 Telephone: (209) 526-3500  
Facsimile: (209) 526-3534  
15 Rschrimp@damrell.com  
Grodarakis@damrell.com  
16

17 **UNITED STATES DISTRICT COURT**  
18 **EASTERN DISTRICT OF CALIFORNIA**  
19 **FRESNO DIVISION**

20 TED GAYLORD and SHERI GAYLORD, as )  
individuals and dba J&T CATTLE COMPANY, )

21 Plaintiffs )

22 vs. )

23 NATIONWIDE MUTUAL INSURANCE )  
24 COMPANY, an Ohio Corporation, AMCO )  
INSURANCE COMPANY, an Iowa Corporation; )  
25 ALLIED GROUP, INC, an Iowa Corporation; and )  
26 DOES 1 through 100, )

27 Defendants. )

Case No.: 1:10-00620-AWI-MJS

**STIPULATION TO EXTEND  
DISCOVERY DEADLINES AND ORDER**

1 Plaintiffs Ted and Sheri Gaylord and defendants Nationwide Mutual Insurance Company and  
2 AMCO Insurance Company, through their attorneys of record, hereby submit this stipulated  
3 request for an Order continuing discovery deadlines in the above-referenced matter as follows:

4 Non Expert Discovery: From 11/26/10 to **03/11/11**

5 Expert Disclosure: From 12/01/10 to **03/18/11**

6 Supplemental Expert Disclosure From 12/17/10 to **04/01/11**

7  
8 Non-Dispositive Pre-Trial Motions filed by From 01/24/11 to **04/08/11**

9  
10 Non- Dispositive Pre-Trial Motion Hearing Date From 02/25/11 to **05/09/11**

11  
12 Expert Discovery Cut-Off From 01/20/11 to **05/11/11**

13 Dispositive Motion Deadline Remains **03/11/11**

14  
15 In support of this stipulated request, I Lisa Silva Passalacqua, do hereby declare:

16 1. I am an attorney at law, licensed to practice in all courts in the State of California and  
17 an attorney with the law firm of Wilson, Elser, Moskowitz, Edelman & Dicker LLP, counsel of  
18 record for Nationwide Mutual Life Insurance Company and AMCO Insurance Company. I have  
19 personal knowledge of the facts stated herein, and am competent to testify to the same. The matters  
20 set forth herein are true and correct to the best of my knowledge and belief as follows:

21  
22 2. Plaintiffs' counsel George Rodarakis and I have discussed the Scheduling Order  
23 presently in place in this case. In an effort to minimize the attorney's fees and costs to our clients  
24 and judicial efficiency, we have agreed to continue the discovery deadlines as set forth above in  
25 order to have a summary judgment motion heard prior to concluding discovery. This will enable the  
26 parties to possibly eliminate or reduce attorney's fees incurred in conducting extensive discovery  
27 depending on the Court's ruling on the summary judgment motion. Other than the discovery  
28

1 related deadlines set forth above, no other Court ordered dates, including the dispositive motion date,  
2 pre-trial dates or the trial date, will be impacted by this Stipulation.

3 Dated: November 24, 2010

WILSON, ELSER, MOSKOWITZ, EDELMAN &  
4 DICKER LLP

5  
6  
7  
8 By: \_\_\_\_\_/s/\_\_\_\_\_

9 Lisa S. Passalacqua  
10 Attorneys for Defendant  
11 Nationwide Mutual Life Insurance Company  
and AMCO Insurance Company

12 **SO STIPULATED**

13 Dated: November 24, 2010

DAMRELL NELSON SCHRIMP PALLIOS  
14 PACHER & SILVA

15  
16  
17 By: \_\_\_\_\_/s/\_\_\_\_\_

18 George P. Rodarakis  
19 Attorneys for Plaintiffs  
Ted and Sheri Gaylord

20 **ORDER**

21  
22  
23 IT IS SO ORDERED.

24  
25 Dated: November 30, 2010

/s/ Michael J. Seng

26 UNITED STATES MAGISTRATE JUDGE