

1 TRISH M. HIGGINS (STATE BAR NO. 119215)  
thiggins@orrick.com  
2 ORRICK, HERRINGTON & SUTCLIFFE LLP  
400 Capitol Mall, Suite 3000  
3 Sacramento, CA 95814-4497  
Telephone: (916) 447-9200  
4 Facsimile: (916) 329-4900

5 SITTHIKIT CHARİYASATIT (STATE BAR NO. 252028)  
schariyasatit@orrick.com  
6 ORRICK, HERRINGTON & SUTCLIFFE LLP  
1000 Marsh Road  
7 Menlo Park, CA 94025  
Telephone: (650) 614-7400  
8 Facsimile: (650) 614-7401

9 Attorneys for Defendant  
MORGAN STANLEY SMITH BARNEY LLC

10  
11 PETER SEAN BRADLEY, ESQ. (STATE BAR NO. 109258)  
PENNER, BRADLEY & SIMONIAN  
12 1171 West Shaw Avenue, Suite 102  
Fresno, CA 93711  
13 Telephone: (559) 221-2100  
14 Facsimile: (559) 221-2101

Attorney for Plaintiff  
15 CLARENCE REITH PATTERSON, JR.

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17 UNITED STATES DISTRICT COURT  
18 EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

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20 CLARENCE REITH PATTERSON, JR.,

21 Plaintiff,

22 v.

23 MORGAN STANLEY SMITH BARNEY,  
24 LLC and Does 1 through 10, inclusive,

25 Defendants.

Case No. 1:10-cv-02084-LJO-BAM

**ORDER GRANTING JOINT  
STIPULATION TO EXTEND EXPERT  
DEADLINES**

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1 Plaintiff Clarence Reith Patterson, Jr. and Defendant Morgan Stanley Smith Barney, LLC  
2 (collectively “the Parties”) stipulate as follows:

3 WHEREAS, the deadline for disclosure of expert witnesses pursuant to Federal Rules of  
4 Civil Procedure 26(a)(2)(A) and (B) is currently set for December 1, 2011;

5 WHEREAS, the trial is not set to start until May 30, 2012;

6 WHEREAS, the Parties agree there is insufficient time for the Parties to complete expert  
7 reports or expert discovery before the respective deadlines;

8 WHEREAS, the Parties anticipate the filing of a dispositive motion by Defendant, and  
9 continuing expert disclosure and discovery may save significant unnecessary expenses for the  
10 Parties;

11 WHEREAS, the Parties have sought only one previous scheduling change in this matter  
12 regarding expert discovery, which did not impact any court dates set by the Court;

13 WHEREAS, the Parties’ stipulation would not affect the Dispositive Motion Filing  
14 Deadline, the Settlement Conference Date, Pre-Trial Conference Date, or the Trial Date  
15 scheduled for May 30, 2012 set by the Court;

16 IT IS HEREBY STIPULATED by and between the parties to this action through their  
17 designated counsel as follows:

18 1. the last day for disclosure of experts and expert reports shall be continued  
19 from December 1, 2011 to February 15, 2012;

20 2. the last day for disclosure of supplemental experts and supplemental  
21 reports shall be continued from December 15, 2011 to February 29, 2012; and

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3. the close of discovery of expert witnesses shall be continued from January 1, 2012 to March 15, 2012.

Pursuant to the stipulation between the parties, IT IS HEREBY ORDERED that the parties joint stipulation to extend the expert deadlines is GRANTED. The Court's Scheduling Order shall be modified accordingly only as to expert disclosure and expert discovery cut off. The dates for the Dispositive Motion Filing Deadline, the Settlement Conference Date, Pre-Trial Conference Date, or the Trial Date shall remain as originally set in the February 16, 2011 Scheduling Order.

IT IS SO ORDERED.

Dated: November 28, 2011

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE