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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

E. & J. GALLO WINERY,)	1:11-cv-00476 LJO GSA
Plaintiff,)	ORDER CONCERNING
v.)	MODIFICATION OF THE
TOLEDO ENGINEERING CO., INC.,)	SCHEDULING CONFERENCE ORDER
Defendant.)	(Documents 43 & 73)

The Court having considered Defendant Toledo Engineering Co., Inc. (“TECO”)’s Motion to Modify Scheduling Conference Order (Doc. 43), Plaintiff E. & J. Gallo Winery (“Gallo”)’s Opposition thereto (Doc. 51), TECO’s Reply (Doc. 54), and the parties’ Joint Statement Re Modification of Pretrial Scheduling Conference Order (Doc. 73) filed November 9, 2012, pursuant to this Court’s request, hereby orders as follows:

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the Scheduling Conference Order be MODIFIED as follows:

- Nonexpert Discovery Cutoff: December 22, 2012**
- Expert Disclosure: January 7, 2013**
- Supplemental Expert Disclosure: January 28, 2013**

1 **Expert Discovery Cutoff: February 14, 2013**

2 **Pretrial Motion Filing Deadline: February 22, 2013**

3 **Pretrial Motion Hearing Deadline: March 22, 2013**

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5 FURTHER, the Pretrial Conference date of March 28, 2013 and the Jury Trial date of
6 May 13, 2013, are HEREBY VACATED. Relatedly, counsel are DIRECTED to submit a joint
7 statement providing *agreed upon* new dates for the pretrial conference and jury trial; dates earlier
8 than May 3, 2013, will not be considered. The aforementioned joint statement shall be filed no
9 later than 12:00 p.m. on November 30, 2012.

10 Additionally, the parties are DIRECTED to keep the Court apprised regarding any plans
11 to submit this matter to mediation before Retired Justice Steven M. Vartabedian. Finally, no
12 later than November 16, 2012, the Court will expect to receive a written update regarding the
13 unresolved discovery issues (*see* Doc. 72 at 4, ¶ 11).

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18 IT IS SO ORDERED.

19 **Dated: November 13, 2012**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE