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9 Commercial Leasing, LLC, ADP

10 Dealer Services, Inc., and IP Networked

11 Services, Inc.

12 UNITED STATES DISTRICT COURT  
13 EASTERN DISTRICT OF CALIFORNIA  
14 FRESNO DIVISION

15 ADP COMMERCIAL LEASING, LLC, : Case No.: 1:13-CV-00587-LJO-SKO

16 a Delaware limited liability company, :

17 ADP DEALER SERVICES, INC., :

18 a Delaware corporation, and :

19 IP NETWORKED SERVICES, INC., :

20 A Delaware corporation, :

21 Plaintiffs, :

22 vs. :

23 M.G. SANTOS, INC., a California :

24 corporation, which does business as :

25 Toscano RV Center , West Side Sales :

26 Co.,Inc. which does business as :

27 Westside Ford, and BONESSA :

28 ENTERPRISES, INC., which does

business as Toscano RV Outlet

Defendants.

AND RELATED CROSS

ACTIONS

1 All parties to this suit, ADP Commercial Leasing, LLC, ADP Dealer  
2 Services, Inc., IP Networked Services, Inc., the Plaintiffs, and M.G. Santos, Inc.,  
3 West Side Sales Co., Inc. and Bonessa Enterprises, Inc., the Defendants, who have  
4 also filed Counter-claims or Cross-Claims, and Michael Santos, Marion Santos and  
5 Henry J. Flores, Cross-Defendants, hereby stipulate that:

- 6 1. This stipulation is filed because good cause exists to amend the Scheduling  
7 Order previously entered by the Court on November 6, 2013 (the  
8 “Scheduling Order”), in light of the Minute Order signed by Magistrate  
9 Sheila K. Oberto on January 28, 2014. The mediation held on February 3,  
10 2014 did not resolve the case, though the issues on the cross-claim by  
11 Bonessa Enterprises, Inc. against the Cross-claim Defendants did resolve at  
12 mediation, subject to documentation and performance of the obligations of  
13 an agreement at mediation.
- 14 2. The parties request that deadlines and settings listed below on the  
15 Scheduling Order, be reset as set forth below.
- 16 3. The parties respectfully request that the Court enter an amended Scheduling  
17 Order, moving the listed deadlines and settings:

18 **Discovery Deadlines:**

19 **Non Expert Discovery: May 23, 2014**

20 **Expert Disclosures: May 30, 2014**

21 **Supplemental Expert Disclosures: June 13, 2014**

22 **Expert Discovery: July 25, 2014**

23 **Non-Dispositive Motions Deadlines:**

24 **Filing: July 31, 2014**

25 **Hearing: September 4, 2014**

26 **Dispositive Motions Deadlines:**

27 **Filing: July 31, 2014**

1                   **Hearing: September 12, 2014**

2                   **Settlement Conference before Judge Boon:**

3                   **Available date near April 24, 2014, at 10:00 a.m.**

4                   **Courtroom 9**

5                   **Pre-Trial Conference:**

6                   **October 17, 2014, at 8:30 a.m.**

7                   **Courtroom 4**

8                   **Trial:**

9                   **December 9, 2014, at 8:30 a.m.**

10                  **Courtroom 4**

11                  **7-10 Trial Days**

12  
13                  4. The parties stipulate to entry of an amended Scheduling Order re-setting the  
14                  dates as set forth in paragraphs 2 and 3.

15                  So stipulated:

16                  **WISENER NUNNALLY GOLD, LLP**

17                  */s/ Robert H. Nunnally, Jr.*

18                  Robert H. Nunnally, Jr.

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1  
2 /s/ Charles L. Belkin (signed with permission granted on February 5, 2014)

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10 Attorney for Defendants M.G. Santos, Inc. DBA

11 Toscano RV Center, and West Side Sales Co., Inc.

12 DBA Westside Ford and Cross-Defendants

13 Marion Santos. Michael Santos and Henry J. Flores

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**SILICON VALLEY LAW GROUP**

*/s/Michael W. Stebbins (signed by permission granted on February 5, 2014)*

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Attorneys for Defendant/Cross-Complainant

**BONESSA ENTERPRISES, INC**

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**ORDER**

The parties' proposed schedule modification is GRANTED as set forth below:

- |   |   |
|---|---|
| <b>1. Settlement Conference</b>               | <b>April 21, 2014<sup>1</sup><br/>Courtroom 9 at 10:30 a.m.<br/>U.S. Magistrate Judge Boone</b> |
| <b>2. Non-Expert Discovery Cutoff:</b>        | <b>May 23, 2014</b>   |
| <b>3. Expert Disclosure</b>                   | <b>May 30, 2014</b>   |
| <b>4. Rebuttal Expert Disclosure</b>          | <b>June 13, 2014</b>  |
| <b>5. Expert Discovery Cutoff</b>             | <b>July 25, 2014</b>  |
| <b>6. Non-Disp. Motion filing deadline</b>    | <b>July 31, 2014</b>  |
| <b>7. Non-Disp. Motion hearing deadline</b>   | <b>September 3, 2014<sup>2</sup></b>  |
| <b>7. Dispositive Motion filing deadline</b>  | <b>July 31, 2014</b>  |
| <b>8. Dispositive Motion hearing deadline</b> | <b>September 18, 2014<sup>3</sup></b>   |
| <b>9. Pretrial Conference</b>                 | <b>November 13, 2014<sup>4</sup></b>  |
| <b>10. Trial</b>                              | <b>January 13, 2015</b>   |

IT IS SO ORDERED.

Dated: February 5, 2014

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> The parties requested an April 24, 2014, date for a settlement conference; this date has been adjusted to accommodate Judge Boone's calendar.

<sup>2</sup> The parties requested a non-dispositive hearing deadline of September 4, 2013; this date has been changed to September 3, 2014, which is the day Judge Oberto hears civil law and motion.

<sup>3</sup> The parties requested a September 12, 2014, dispositive hearing deadline; this deadline has been adjusted to September 18, 2014, to comport with Judge O'Neill's calendar.

<sup>4</sup> The parties requested October 17, 2014 for the pretrial conference and December 9, 2014, for the trial; however, these deadlines have been adjusted to November 13, 2014, for the pretrial conference and January 13, 2015, for the trial to comport to Judge O'Neill's calendar. Should the parties' wish to consent to the jurisdiction of the Magistrate Judge, an earlier trial date could be accommodated.

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