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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION**

TAVIE DIVERSIFIED, INC., a California Corporation; OCTAVIA DIENER, in her capacity as TRUSTEE of the OCTAVIA DIENER LIVING TRUST, C.M.A., a California general partnership; and RED ROCK RANCH, INC., a California corporation,

Plaintiffs,

v.

THE PICTSWEET COMPANY, a Delaware corporation, and DOES 1 through 20, inclusive,

Defendants.

and related Counterclaim

Case No. 1:13-cv-00901-SKO

**STIPULATION TO REVISE
SCHEDULING ORDER AND ORDER
THEREON**

Plaintiffs/Counter-defendants Tavie Diversified, Inc., C.M.A., Octavia Diener Living Trust, and Red Rock Ranch, Inc. ("Plaintiffs") and Defendant/Counterclaimant The Pictsweet Company ("Defendant"), by their attorneys, stipulate as follows:

A. Recitals

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2 1. Plaintiffs and Defendant are in the process of completing their non-expert
3 discovery in the case. As part of this discovery process, Plaintiffs and Defendant have
4 discovered facts prompting the need for more written discovery and depositions of percipient
5 witnesses.

6 2. Plaintiffs and Defendant recognize that it would be unduly burdensome for all
7 parties to complete their non-expert discovery by the current deadline of May 23, 2014. The
8 parties further agree that there would be no burden in continuing the fact-discovery deadline
9 because the trial in this matter is not set until January 27, 2015.

10 3. As part of continuing the fact discovery deadline, the parties agree that the
11 deadlines for expert discovery and non-dispositive and dispositive motions should be
12 continued.

13 4. The parties continue to agree the case will be ready for trial on January 27, 2015
14 and that this stipulation is being entered into in consideration of the January 27, 2015 trial date
15 as previously agreed and set by the court.

16 **B. Stipulation**

17 Wherefore, the parties stipulate and agree as follows:

- 18 A. The deadline for completion of non-expert discovery is continued to June 30,
19 2014.
- 20 B. The deadline for disclosure of expert witnesses is continued to July 31, 2014.
- 21 C. The deadline for supplemental expert witness disclosure is continued to August
22 30, 2014.
- 23 D. The deadline for completion of expert discovery is continued to September 22,
24 2014.
- 25 E. The deadline for filing non-dispositive and dispositive motions is continued to
26 October 1, 2014.
- 27 F. The deadline for hearing non-dispositive and dispositive motions is continued to
28 October 31, 2014.

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G. All other dates per the court's scheduling order of November 14, 2013 (Doc. 24) remain unchanged.

Date: April 17, 2014

KLEIN, DENATALE, GOLDNER,
COOPER, ROSENLIEB & KIMBALL, LLP

By: /s/ Connie M. Parker
DAVID J. COOPER
CONNIE M. PARKER
Attorneys for Defendant and
Counterclaimant

Date: April 17, 2014

WALTER & WILHELM LAW GROUP

By: /s/ Michael L. Wilhelm¹
MICHAEL L. WILHELM
TRACY E. BLAIR
Attorneys for Plaintiffs and
Counterdefendants

¹ Electronic signatures are based upon the signatures in the parties' stipulation filed at Docket No. 32.

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ORDER

For good cause and based on the Stipulation of Plaintiffs/Counter-defendants Tavie Diversified, Inc., C.M.A., Octavia Diener Living Trust, and Red Rock Ranch, Inc. and Defendant/Counterclaimant The Pictsweet Company, the court revises the Scheduling Order dated November 14, 2013 (Doc. 24) as follows:

1. The deadline for completion of non-expert discovery is continued to June 30, 2014;
2. The deadline for disclosure of expert witnesses is continued to July 31, 2014;
3. The deadline for supplemental expert witness disclosure is continued to August 30, 2014;
4. The deadline for completion of expert discovery is continued to September 22, 2014;
5. The deadline for filing non-dispositive and dispositive motions is continued to October 1, 2014;
6. The deadline for hearing non-dispositive and dispositive motions is continued to October 29, 2014;²
7. All other dates per the court's scheduling order of November 14, 2013 (Doc. 24) remain unchanged.

IT IS SO ORDERED.

Dated: April 22, 2014

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

² The Court modified the parties' proposed motion hearing deadline of Friday, October 31, 2014, to Wednesday, October 29, 2014, as the Court hears law and motion on Wednesdays at 9:30 a.m.

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