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6 Attorneys for Defendant,
7 Philadelphia Indemnity Insurance Company

8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

10
11 PACIFIC MARINE CENTER, INC., a
12 California corporation, and SONA
13 VARTANIAN, an individual,

14 Plaintiffs,

15 v.

16 PHILADELPHIA INDEMNITY
17 INSURANCE COMPANY, a
18 Pennsylvania corporation, and DOES
19 1 through 10, inclusive,

20 Defendants.

Case No. 1:13-CV-00992-AWI-SKO

**STIPULATION AND ORDER RE
DISCOVERY CUT-OFF AND
AMENDMENT OF SCHEDULING
ORDER**

21 WHEREAS, Defendant Philadelphia Indemnity Insurance Company,
22 pursuant to agreement with the Plaintiffs, had set the depositions of Plaintiffs Sona
23 Vartanian and Pacific Marine Center, Inc., by its president, Sona Vartanian, for July
24 29, 2015 and July 30, 2015;

25 WHEREAS, counsel for Plaintiffs reported that Ms. Vartanian suffered a
26 broken ankle in a fall a week before she was scheduled to testify and is under pain
27 medication which will prevent her from being able to testify for a few weeks;

28 WHEREAS, Defendant Philadelphia Indemnity Insurance Company is
willing to continue the depositions of Plaintiffs for a few weeks because of Ms.

1 Vartanian's medical condition, but does not want to be prevented from completing
2 discovery before the current non expert discovery deadline date of September 15,
3 2015, because it may seek additional depositions and discovery dependent on the
4 testimony in Ms. Vartanian's depositions and requires the testimony in those
5 depositions to prepare any expert reports;

6 WHEREAS, the parties through their counsel have mutually agreed to
7 continue the depositions of Ms. Vartanian and Pacific Marine Center, Inc. because
8 of the accident to Plaintiff Sona Vartanian and her medical condition and to request
9 that the discovery cutoff and other deadline dates set forth in the case original
10 Scheduling Order and Order Amending Scheduling Order be continued in order to
11 allow Philadelphia to complete deposition discovery within the discovery cutoff
12 and to have sufficient time to prepare expert reports and file motions;

13 WHEREAS, after meeting and conferring, the counsel have agreed to
14 approximate two month extensions of the scheduling dates;

15 NOW, THEREFORE, it is hereby stipulated by Plaintiffs and Defendant, by
16 and through their respective counsel of record, as follows:

17 1. The various deadlines for discovery and pre-trial and trial dates
18 currently set shall be continued for some two months to the following dates, or such
19 other dates in reasonable proximity thereto convenient to the Court's schedule, as
20 follows:

21 Non Expert Discovery cutoff: November 13, 2015.

22 Expert Disclosure: November 13, 2015.

23 Supplemental Expert Disclosure: December 4, 2015.

24 Expert Discovery cutoff: January 8, 2016.

25 Settlement Conference: August 26, 2015, at 10:00 a.m., Courtroom 8.

26 Non Dispositive Motions:

27 Filing: January 8, 2016.

28 Hearing: February 8, 2016.

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Dispositive Motions:

Filing: January 8, 2016

Hearing: February 23, 2016.

Pre-Trial Conference: March 21, 2016, at 8:30 a.m., Courtroom 2.

Trial: May 23, 2016, at 8:30 a.m., Courtroom 2.

2. The Case Scheduling Order, dated November 26, 2013, the Order Re Discovery Cut-Off and Amending Scheduling Order, signed October 2, 2015, the Order re Discovery Cut-Off and Amendment of Scheduling Order, signed March 9, 2015, and the Order re Discovery Cut-Off and Amendment of Scheduling Order, signed May 7, 2015, shall be amended to reflect the new dates.

Dated: July , 2015

THE REICH LAW FIRM

By: _____

Jeff Reich
Attorneys for Plaintiffs Pacific Marine
Center, Inc. and Sona Vartanian

Dated: July 28, 2015

CHARLSTON, REVICH & WOLLITZ LLP

By: /s/ Bruce T. Smyth

Bruce T. Smyth
Attorneys for Defendant Philadelphia
Indemnity Insurance Company

ORDER

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2 Based on the parties' stipulation, the Court modifies the November 26, 2013,
3 scheduling order to grant the parties an extension of time to complete fact and
4 expert discovery, and to file dispositive and non-dispositive motions.

5 This is the parties' third stipulation and request to reset the trial date.
6 (Docs. 16; 32; 39. *See also* Docs. 9; 17; 33; 40.) The settlement conference, pre-
7 trial conference, and trial dates remain as set in the Court's May 8, 2015,
8 scheduling order. (Doc. 40.)

9 Accordingly, discovery deadlines and motion filing deadlines are continued
10 as follows:

11 Settlement Conference: **August 26, 2015, at 9:30 a.m., in Ctrm. 8.**

12 Non Expert Discovery Cutoff: **October 15, 2015.**

13 Expert Disclosure: **October 26, 2015.**

14 Supplemental Expert Disclosure: **October 30, 2015.**

15 Expert Discovery cutoff: **November 13, 2015.**

16 Non Dispositive Motions:

17 Filing: **November 16, 2015.**

18 Hearing: **December 16, 2015.**

19 Dispositive Motions:

20 Filing: **November 16, 2015.**

21 Hearing: **December 21, 2016.**

22 Pre-Trial Conference: **January 27, 2016, at 10:00 a.m., Ctrm. 2.**

23 Trial: **March 22, 2016, at 8:30 a.m., in Ctrm. 2.**

24
25 IT IS SO ORDERED.

26 Dated: **July 30, 2015**

26 **/s/ Sheila K. Oberto**
27 UNITED STATES MAGISTRATE JUDGE