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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 (“Philadelphia”) and Plaintiffs Sona Vartanian and Pacific Marine Center, Inc.
23 (“Plaintiffs”) have completed or will complete almost all of the deposition and
24 document discovery in this matter by the current discovery cut-off of October 15,
25 2015;

26 WHEREAS, Plaintiffs just identified two witnesses not previously listed in
27 interrogatory responses whose depositions Philadelphia would like to take along
28 with production of documents, one of whom Plaintiffs have stated that they intend
to waive the attorney-client privilege;

1 WHEREAS, the current schedule of disclosure of expert testimony allows
2 only four days from the date of the initial disclosure for the parties to provide
3 supplemental disclosure of experts based upon the initial disclosure and Plaintiffs
4 and Philadelphia would like more time to obtain and designate supplemental
5 experts based upon the initial disclosure of experts of the opposing party;

6 WHEREAS, Plaintiffs and Philadelphia desire to extend the time for non-
7 expert discovery and to continue the dates of the deadlines for disclosure of experts,
8 dispositive and non-dispositive motions;

9 NOW, THEREFORE, it is hereby stipulated by and between Plaintiffs and
10 Philadelphia, by and through their respective counsel of record, as follows:

11 1. The deadline for non-expert discovery shall be extended from October
12 15, 2015 to October 30, 2015;

13 2. The deadline for disclosure of expert witnesses shall be extended from
14 October 26, 2015 to November 13, 2015;

15 3. The deadline for supplemental disclosure of expert witnesses shall be
16 continued from October 30, 2015 to November 30, 2015;

17 4. The deadline for the expert discovery cut-off shall be moved from
18 November 13, 2015 to December 18, 2015;

19 5. The deadline for filing non-dispositive motions shall be extended from
20 November 16, 2015 to December 16, 2015, with a hearing date of January 19,
21 2016;

22 6. The deadline for dispositive motions shall be extended from November
23 15, 2015 to December 16, 2015, with a hearing date of January 19, 2016;

24 7. The pre-trial conference shall be continued from January 27, 2016 to
25 February 10, 2016, or such other date as is convenient on the Court's schedule;

26 8. Trial shall be set at the currently scheduled date of March 22, 2016 or,
27 pursuant to the preference of the parties, some date in April or May, 2016
28 convenient to the Court's schedule.

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Dated: September __, 2015

THE REICH LAW FIRM

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

Dated: September __, 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 As a preliminary matter, the Court notes that this is the parties' fourth
3 stipulation and request to reset the trial date. (Docs. 16; 32; 39; 44. *See also* Docs.
4 9; 17; 33; 40; 45.) To move this case to trial before the Honorable Anthony W.
5 Ishii, the non-dispositive and dispositive motion deadlines, pre-trial conference, and
6 trial dates shall remain as set in the Court's May 8, 2015, scheduling order.
7 (Doc. 40.) Based on the parties' stipulation, however, the Court will modify the
8 July 30, 2015, scheduling order to grant the parties an extension of time to complete
9 expert discovery, and to file dispositive and non-dispositive motions.

10 Accordingly, discovery deadlines and motion filing deadlines are set as
11 follows:

12 Non Expert Discovery Cutoff: **October 26, 2015.**

13 Expert Disclosure: **October 30, 2015.**

14 Supplemental Expert Disclosure: **November 5, 2015.**

15 Expert Discovery cutoff: **November 12, 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, 2015.**

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: **October 6, 2015**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE