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4	UNITED STATES	DISTRICT COURT	
5	EASTERN DISTRICT OF CALIFORNIA		
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7 8	PACIFIC MARINE CENTER, INC., a California corporation, and SONA	Case No.: 1:13-CV-00992-AWI-SKO STIPULATION AND ORDER RE	
9	VARTANIAN, an individual,	DISCOVERY CUT-OFF AND AMENDMENT OF SCHEDULING	
10	Plaintiff,	ORDER	
11	vs.		
12	PHILADELPHIA INDEMNITY INSURANCE COMPANY, a Pennsylvania corporation, and DOES 1 through 10, inclusive,		
13			
14	Defendant.		
15			
16	WHEREAS, the parties through their respective counsel note that this is the parties' fifth		
17	stipulation and request to reset discovery dates;		
18	WHEREAS, the parties note that they have each aggressively pursued discovery in the		
19	instant case; however, there are voluminous documents in this case, a number of witnesses who		
20	matter to the case, and a multitude of material issues;		
21	WHEREAS, there are two additional non-party witnesses identified subsequent to the last		
22	stipulation and order regarding discovery, whose depositions should be taken for this case, but		
23	despite diligent efforts over the last two weeks to serve one of such witnesses, a Los Angeles		
24	attorney, they have not yet been served;		
25	WHEREAS, the parties through their respective counsel have scheduled a Settlement		
26	Conference before the Honorable Barbara McAuliffe, United States Magistrate Judge, on November		
27	2 nd this year;		
28	WHEREAS, under the current schedule, the parties must provide expert reports on October		
	Stipulation to Continue Discovery Deadlines and Order Thereon		

2015, attend the settlement conference on November 2, 2015, counter-designate experts on	
November 5, 2015, complete expert deposition discovery by November 12, 2015 and file non-	
dispositive and dispositive motions by November 16, 2015, and counsel do not believe that they	
will be able to accomplish those tasks in that limited time period;	
WHEREAS, after meeting and conferring, the counsel have agreed to seek the extensions on	
scheduling dates proposed hereinbelow;	
WHEREAS, the parties through their respective counsel consequently ask for the	
Court's additional indulgence to grant another request to extend the discovery, motion and	
ert cutoffs;	
NOW, THEREFORE, it is hereby stipulated by Plaintiffs and Defendant, by and through	
r respective counsel of record, as follows:	
1. The various deadlines for discovery and pre-trial and trial dates currently set shall be	
continued for some two weeks, more or less, to the following dates, or such other dates	
in reasonable proximity thereto convenient to the Court's schedule, as follows:	
Court Settlement Conference date: November 2, 2015.	
Non Expert Discovery cutoff: November 9, 2015.	
Expert Disclosure: November 13, 2015.	
Supplemental Expert Disclosure: November 24, 2015.	
Expert Discovery cutoff: December 3, 2015.	
Non Dispositive Motions:	
Filing: December 7, 2015.	
Hearing: January 6, 2016.	
Dispositive Motions:	
Filing: December 7, 2015	
Hearing: January 11, 2016.	
Pre-Trial Conference: January 27, 2016, at 10:00 a.m., Courtroom 2.	
Trial: March 22, 2016, at 8:30 a.m., Courtroom 2.	
2. The Case Scheduling Order, dated November 26, 2013, and the Order Re Discovery Cut-	
Stipulation to Continue Discovery Deadlines and Order Thereon	

1	Off and Amending Scheduling Order, signed October 2, 2015, shall be amended to reflect the new	
2	dates.	
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4	Dated: October 21, 2015THE REICH LAW FIRM	
5		
6	By: <u>/s/ Jeff Reich</u> Jeff Reich	
7	Attorneys for Plaintiffs	
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9	Dated: October 21, 2015 CHARLSTON, REVI CH & WOLLITZ LLP	
10		
11	By: /s/ Bruce T. Smyth	
12	Bruce T. Smyth	
13	Attorneys for Defendant	
14	<u>ORDER</u>	
15	The parties seek additional time to conduct non-expert discovery because two non-party	
16	witnesses were only recently discovered and must be deposed. As a result, the parties wish to	
17	extend all deadlines except the Pre-Trial and Trial dates. However, the parties' request continues	
18	the deadline for hearing motions to January 11, 2016, which is slightly more than two weeks before	
19	the existing January 27, 2016, Pre-Trial Conference. Two weeks is insufficient time for the District	
20	Court to issue an order on any motion for summary judgment and for the parties to file a joint Pre-	
21	Trial Conference statement, which is currently due on January 20, 2015. Thus, the parties' request	
22	requires modification to the Pre-Trial and Trial dates. As already explained in the previous orders,	
23	Judge Ishii's trial calendar is extremely impacted. The nearest available trial date is October 18,	
24	2016. As such, the parties' request is granted, but the Pre-Trial and Trial dates shall be continued	
25	due to the requested extensions to the discovery and motion deadlines. The schedule is modified as	
26	follows:	
27	Court Settlement Conference date: November 2, 2015, Courtroom 8	
28	Non Expert Discovery cutoff: November 9, 2015	

Stipulation to Continue Discovery Deadlines and Order Thereon

1	Expert Disclosure: November 13, 2015	
2	Supplemental Expert Disclosure: November 24, 2015	
3	Expert Discovery cutoff: December 3, 2015	
4	Non Dispositive Motions:	
5	Filing: December 7, 2015	
6	Hearing: January 6, 2016	
7	Dispositive Motions:	
8	Filing: December 7, 2015	
9	Hearing: January 11, 2016	
10	Pre-Trial Conference: August 8, 2016, at 10:00 a.m., Courtroom 2	
11	Trial: October 18, 2016, at 8:30 a.m., Courtroom 2	
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13	IT IS SO ORDERED.	
14	Dated: October 22, 2015 /s/ Sheila K. Oberto	
15	UNITED STATES MAGISTRATE JUDGE	
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