

1 Anna Y. Park, SBN 164242
Sue Noh, SBN 192134
2 Rumduol Vuong, SBN 264392
Jennifer L. Boulton, SBN 259076
3 U.S. EQUAL EMPLOYMENT
4 OPPORTUNITY COMMISSION
255 East Temple Street, Fourth Floor
5 Los Angeles, CA 90012
Telephone: (213) 894 1108
6 Facsimile: (213) 894-1301
7 Attorneys for Plaintiff U.S. EEOC

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9 **UNITED STATES DISTRICT COURT**

10 EASTERN DISTRICT OF CALIFORNIA

11 U.S. EQUAL EMPLOYMENT
12 OPPORTUNITY COMMISSION,

13 Plaintiff,

14 v.

15
16 FAMERS INSURANCE EXCHANGE, AND
DOES 1-10, INCLUSIVE,

17 Defendants.
18 _____/

Case No. 1:13-cv-01574-AWI-SKO

**THIRD JOINT STIPULATION AND
ORDER TO EXTEND DISCOVERY AND
TRIAL DEADLINES**

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21 Plaintiff United States Equal Employment Opportunity Commission (“EEOC” or
22 “Plaintiff”) and Defendant Farmers Insurance Exchange (“Farmers” or “Defendant”), through
23 their respective counsel of record, hereby respectfully request a continuance of the Scheduling
24 Order and accompanying deadlines.

25 On September 30, 2013, the EEOC filed the instant action pursuant to Title VII of the Civil
26 Rights Act of 1964 and Title I of the Civil Rights Act of 1991. Defendant filed a motion to
27 dismiss the action on January 28, 2014, EEOC filed an opposition on February 24, 2014, and
28 Defendant filed a reply on March 3, 2014. On March 4, 2014, the Court took the matter under

1 submission. The Court issued a ruling on the matter on May 30, 2014, denying Defendant's
2 motion to dismiss.

3 Defendant filed an Answer to the Complaint on June 13, 2014, and an initial scheduling
4 order was issued by the Court in this matter on July 11, 2014.

5 In the intervening time since, the parties submitted two stipulations to extend time with the
6 most recent occurring on June 2, 2015. In the joint stipulation, the parties anticipated that an in
7 person meeting or mediation would occur in June 2015. As a result of scheduling conflicts and
8 other matters, the in person meeting or mediation did not occur until July 31 2015. Accordingly,
9 the parties now stipulate pursuant to Rules 16 and 26 of the Federal Rules of Civil Procedure as
10 follows:

11 **1. Good Cause To Extend Discovery Deadlines**

12 The parties come before the Court to seek a third extension of the discovery and trial
13 deadlines. The parties anticipate that this will be the final request for an extension of these
14 deadlines. The parties seek the current extension, which extends most of the current deadlines by
15 approximately three (3) months, to permit the parties to continue to pursue settlement discussions.
16 While no settlement has been reached, the parties have made progress on this matter, conducting
17 an in person meeting on July 31, 2015, following the initial settlement conference with this court,
18 and are planning now to progress further settlement discussions at a private mediation to take
19 place before the Honorable Margaret A. Nagle (Ret.) in November or December 2015. The
20 requested extension will permit both sides to focus on these settlement discussions without
21 diverting resources and attention to litigation matters.

22 Due to the above-noted reasons as well as other cases and commitments, it has proven
23 difficult to complete the necessary depositions and written discovery prior to the discovery
24 deadline contained in the current scheduling order. As such, the parties request that the Court, for
25 good cause, grant the parties' third request for an extension of time.

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1 **2. Proposed New Schedule**

2 The parties stipulate that the Joint Scheduling Order be amended to reflect the following
3 new deadlines:

- 4 a. Non-expert discovery shall be completed by April 4, 2016;
5 b. Expert disclosure shall be completed by May 4, 2016;
6 c. Supplemental expert disclosure shall be completed by June 6, 2016;
7 d. Expert discovery shall be completed by July 15, 2016;
8 e. Non-dispositive motions shall be submitted by July 15, 2016;
9 f. Non-dispositive motions shall be heard no later than August 17, 2016;
10 g. Dispositive motion shall be submitted by July 26, 2016;
11 h. Dispositive motion shall be heard no later than September 2, 2016;
12 i. Pretrial conference shall be held on November 2, 2016; and
13 j. Trial shall begin December 6, 2016.

14 IT IS SO STIPULATED.

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16 U.S. EQUAL EMPLOYMENT
 OPPORTUNITY COMMISSION

17 Date: October 15, 2015

17 By: /s/ Jennifer L. Boulton
18 Jennifer L. Boulton
19 Attorney for Plaintiff U.S. EEOC

20 SEYFARTH SHAW

21 Date: October 15, 2015

21 By: /s/ Laura Maechtlen
22 Laura Maechtlen
23 Attorney for Defendant Farmers Insurance
24 Exchange
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1 **ORDER**

2 For good cause shown, the parties' joint stipulation to extend discovery deadlines
3 (Doc. 35) is hereby approved and the new deadlines for discovery set forth in the Scheduling
4 Order shall be amended as follows:

- 5 1. Non-expert discovery shall be completed by **March 18, 2016**;
6 2. Expert disclosure shall be completed by **April 15, 2016**;
7 3. Supplemental expert disclosure shall be completed by **May 13, 2016**;
8 4. Expert discovery shall be completed by **June 27, 2016**;
9 5. Non dispositive motions shall be filed by **June 26, 2016**, and heard by **July 27, 2016**;
10 6. Dispositive motions shall be filed by **July 18, 2016**, and heard by **August 29, 2016**;
11 7. The Pretrial conference shall be held on **October 13, 2106, at 10:00 a.m., in**
12 **Courtroom 2**; and
13 8. Trial shall commence on **December 6, 2016, at 8:30 a.m., in Courtroom 2**.

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15 IT IS SO ORDERED.

16 Dated: **October 16, 2015**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE