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

RODOLFO BARRETO RAMIREZ

Plaintiff,

v.

AMERICOLD LOGISTICS; AND DOES 1  
THROUGH 100, INCLUSIVE

Defendant.

Case No. 1:14-cv-01695-SKO

**STIPULATION TO MODIFY THE  
SCHEDULING ORDER TO EXTEND THE  
EXPERT DISCOVERY DEADLINE AND  
TRIAL DATE; ORDER THEREON**

Complaint Filed: August 11, 2014  
Trial Date: June 28, 2016

Plaintiff Rodolfo Barreto Ramirez and Defendant AmeriCold Logistics LLC, through their respective counsel, respectfully request the Court modify its pretrial scheduling order (ECF No. 14) to extend the deadline on expert discovery and the trial date. Good cause exists to extend these deadlines.

1. The Parties request the Court extend the trial date from June 28, 2016 to sometime after November 15, 2016, as well as extending the pretrial filing deadlines.

2. Counsel for Defendant AmeriCold Logistics LLC, Jill Cartwright, is pregnant and her due date is July 7, 2016. Her due date conflicts with the current trial date of June 28, 2016. Ms. Cartwright plans to take maternity leave from June 20, 2016 to October 3, 2016.

3. Ms. Cartwright has another trial scheduled to begin on October 14, 2016 in Sonoma County Superior Court. The trial is expected to last two weeks.

4. The Parties request a trial continuance to allow for Ms. Cartwright's maternity leave and to allow her time to prepare for trial in this case after her trial in Sonoma County Superior Court concludes at the end of October 2016. The Parties also request an extension of pretrial filing deadlines to correspond with the new trial date.

5. The Parties also request an extension on expert discovery deadlines to allow the Parties additional time to negotiate settlement and for the Court to rule on Defendant's anticipated Summary Judgment Motion.

1           6.       The parties propose the following expert discovery deadlines: May 9, 2016 (initial  
2 expert disclosures); May 23, 2016 (rebuttal expert disclosures); June 13, 2016 (expert discovery  
3 deadline).

4           7.       On December 4, 2015, the Parties attended a settlement conference before  
5 Magistrate Judge Boone. The Parties made significant steps towards resolving the litigation but  
6 were unable to do so at the settlement conference.

7           8.       The Parties are continuing their negotiations to settle the case. Extending the  
8 expert discovery deadline will give the Parties time to settle the case before making significant  
9 expenditures on expert discovery. It will also allow the Court time to decide Defendant's  
10 anticipated motion for summary judgment or partial summary judgment. Both Parties believe that  
11 increased litigation costs for expert discovery will hinder their efforts to settle the litigation.

12           9.       This is the Parties' second request to modify the Scheduling Order

13           10.      Therefore, pursuant to the Court's scheduling order (ECF No. 14) and Local Rule  
14 143, the Parties hereby submit this stipulation for modification of the pretrial scheduling order  
15 (ECF No. 14).

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17 DATED: January 19, 2016

RANCAÑO & RANCAÑO

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By: /s/ Violeta Diaz (as authorized on 1/19/16)  
David C. Rancano  
Tejinderpal S. Sanghera  
Violeta Diaz

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Attorneys for Plaintiff  
RODOLFO BARRETO RAMIREZ

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24 DATED: January 19, 2016

OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.

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By: /s/ Jill V. Cartwright  
Stuart D. Tochner  
Jill V. Cartwright

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Attorneys for Defendant  
AMERICOLD LOGISTICS, LLC

1 **ORDER**

2 Good cause having been shown, the parties' stipulation is granted as to the extension of the  
3 expert discovery deadlines, and the pre-trial conference and trial dates have also been extended.

4 The extended dates are as follows:

- |    |                                   |                                |
|----|-----------------------------------|--------------------------------|
| 5  | 1. Expert Disclosures             | May 9, 2016                    |
| 6  | 2. Rebuttal Expert Disclosures    | May 23, 2016                   |
| 7  | 3. Expert Discovery               | July 29, 2016 <sup>1</sup>     |
| 8  | 4. Non-dispositive motion filing  | June 13, 2016                  |
| 9  | 5. Non-dispositive motion hearing | July 13, 2016                  |
| 10 | 6. Pre-Trial Conference           | October 5, 2016, at 2 p.m.     |
| 11 | 7. Trial                          | December 6, 2016, at 8:30 a.m. |

12 The parties have not requested any change to the dispositive motion filing or hearing  
13 deadlines, thus those remain set as March 1, 2016, and April 6, 2016, respectively. (Doc. 16.)

14 IT IS SO ORDERED.

15 Dated: January 22, 2016

16 /s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE

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27 <sup>1</sup> The parties are reminded that, as set forth in the scheduling order, "[c]ompliance with the discovery deadlines  
28 requires motions to compel to be filed *and heard sufficiently* in advance of the discovery deadline so that the Court  
may grant effective relief within the allotted discovery time." (Doc. 14, 4:8-10.) For this reason, and because the  
continued trial date permits such an extension, the expert discovery deadline shall be extended to July 29, 2016.