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 WINCO HOLDINGS, INC. (erroneously  
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13 Attorneys for Plaintiff  
 BRADLEY FULFER  
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15 UNITED STATES DISTRICT COURT  
 16 EASTERN DISTRICT OF CALIFORNIA  
 17 SACRAMENTO DIVISION

18 BRADLEY FULFER, an individual,  
 19 Plaintiff,  
 20 v.  
 21 WINCO FOODS FOUNDATION,  
 22 INC., an Idaho Corporation, and  
 DOES 1 through 100, inclusive,  
 23 Defendants.

Case No. 1:15-cv-00999-TLN-EPG

**STIPULATION AND ORDER TO  
 CONTINUE DISPOSITIVE MOTION  
 DEADLINE**

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1 IT IS HEREBY STIPULATED, by and between Plaintiff Bradley Fulfer  
2 (“Plaintiff”) and Defendant WinCo Holdings, Inc. (erroneously sued as Winco Food  
3 Foundation, Inc.) (“WinCo”) as follows:

4 WHEREAS, on May 14, 2015, Plaintiff filed this action against WinCo,  
5 asserting various claims, including (1) disability discrimination, (2) failure to  
6 accommodate, (3) failure to engage in the interactive process, (4) retaliation, (5)  
7 intentional infliction of emotional distress, (6) failure to prevent discrimination, (7)  
8 wrongful termination, and (8) interference with his ability to take leave.

9 WHEREAS, pursuant to the Court’s Order on May 19, 2016, pre-trial  
10 deadlines are as follows:

- 11 • Expert disclosures were on August 22, 2016;
- 12 • Rebuttal expert disclosures were on September 22, 2016;
- 13 • Fact discovery cut-off was on November 22, 2016;
- 14 • Dispositive motions are set for January 12, 2017;
- 15 • Final pretrial conference is set for March 23, 2017; and
- 16 • Trial is set to commence on May 15, 2017;

17 WHEREAS, the Parties have completed written discovery;

18 WHEREAS, despite their best efforts, the Parties have been unable to  
19 complete all the necessary depositions, as Plaintiff and/or his counsel are unavailable  
20 to complete such depositions until January 2017;

21 WHEREAS, pursuant to Federal Rule of Civil Procedure 16(b)(4), the  
22 Court may modify a scheduling order where good cause is present; and

23 WHEREAS, in order to complete the necessary depositions, the Parties  
24 jointly request that the dispositive motion deadline be extended.

25 THEREFORE IT IS HEREBY STIPULATED by and between the  
26 Parties, through their respective counsel, that the Parties jointly request that the Court  
27 continue the deadline set forth in the Court’s Order [Dkt. 24] by extending the  
28 following deadline:

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- Dispositive motions to February 24, 2017

The dates for the Parties’ Final Pre-Trial Conference and Trial shall remain unchanged.

Dated: November 30, 2016

Respectfully submitted,

*/s/Anne Sweeney Jordan*  
\_\_\_\_\_  
NEDA N. DAL CIELO  
ANNE SWEENEY JORDAN  
LITTLER MENDELSON, P.C.  
Attorneys for Defendant  
WINCO HOLDINGS, INC. (erroneously  
named as WinCo Foods Foundation, Inc.)

Dated: November 30, 2016

Respectfully submitted,

*/s/Roman Otkupman*  
\_\_\_\_\_  
ROMAN OTKUPMAN  
RITA LEONG  
OTKUPMAN LAW FIRM  
Attorneys for Plaintiff  
BRADLEY FULFER

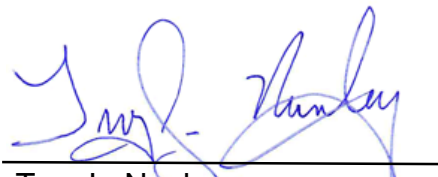
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**ORDER**

The court, having considered the Parties' stipulation to continue discovery and dispositive motion deadlines, hereby orders that the deadline to file a dispositive motion to February 24, 2016. The Final Pre-trial Conference is set for March 23, 2017 at 2:00 pm in Courtroom 2, and Trial shall commence on May 15, 2017 at 9:00 am in Courtroom 2.

**IT IS SO ORDERED.**

Dated: December 5, 2016



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Troy L. Nunley  
United States District Judge