

1 JOHN H. PODESTA (State Bar No.154706)
2 DAWN A. SILBERSTEIN (State Bar No. 167936)
3 **WILSON, ELSER, MOSKOWITZ,**
4 **EDELMAN & DICKER LLP**
5 525 Market Street, 17th Floor
6 San Francisco, California 94105-2725
7 Telephone: (415) 433-0990
8 Facsimile: (415) 434-1370

9 Attorneys for Plaintiff
10 PROBUILDERS SPECIALTY
11 INSURANCE COMPANY, RRG

12 **UNITED STATES DISTRICT COURT**
13 **EASTERN DISTRICT OF CALIFORNIA**
14 **(FRESNO DIVISION)**

15) Case No. 1:15-CV-01520-DAD-EPG
16 PROBUILDERS SPECIALTY INSURANCE CO.,)
17 RRG A Risk Retention Group,)
18)
19 Plaintiff,) **DISCOVERY STIPULATION &**
20) **ORDER**
21 vs.)
22)
23 LITTRELL HOMES, INC., L&L)
24 CONSTRUCTION DBA: LITTRELL HOMES,)
25 ROBERT LITTRELL,)
26)
27 Defendants.)
28)

29
30 In November 2016, the parties, through their counsel of record, met and conferred
31 regarding potential settlement negotiations and recommendations for a revised discovery
32 cutoff dates to allow time to complete informal settlement negotiations between the parties.
33 The parties agreed to participate in mediation before Magistrate Judge Grosjean on February
34 7, 2017 and for a continuation of the percipient discovery cutoff to March 15, 2017.
35 However, due to the illness of one of the defendants, the mediation was continued to March
36 2, 2017. In light of the continuation of the mediation date and the schedule of counsel and the
37 parties, the parties, though their counsel, have met and conferred and agreed to a
38 corresponding continuation of the percipient and expert discovery cutoff dates. The stipulated

1 discovery cutoff dates will not interfere with the current cutoff date for dispositive motions
2 set for July 15, 2017.

3 Therefore, the parties hereby STIPULATE as follows:

4 1. The Parties have agreed to participate in settlement discussions to determine
5 whether an informal resolution of this matter may be reached.

6 2. The new percipient discovery cutoff will be extended to **April 17, 2017**.

7 3. The parties further agree that Expert Witness disclosures shall be served by
8 mail or email no later than **April 17, 2017** and Rebuttal Expert Witness disclosures shall be
9 served no later than **May 1, 2017**. Expert Discovery shall be completed by **May 30, 2017**.

10 4. The current date for dispositive pre-trial motions shall remain as **July 15,**
11 **2017**.

12 IT IS SO STIPULATED:

13
14 Dated: March 1, 2017

POWELL SLATER, LLP

15 By: /s/ Matthew G. Backowski

16 Matthew Backowski, attorneys for
17 defendants LITTRELL HOMES, INC.,
18 L&L CONSTRUCTION dba
LITTRELL HOMES, and ROBERT
LITTRELL

19 Dated: March 1, 2017

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER, LLP

20
21 By: /s/ John H. Podesta

22 John H. Podesta
23 Attorneys for Plaintiff PROBUILDERS
24 SPECIALTY INSURANCE
25 COMPANY, RRG
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Order

Based on the above stipulation, and good cause appearing therein, the Scheduling Order, as amended on December 6, 2016, is amended as follows:

Event	Current Dates	New Dates
Non-expert discovery cutoff	March 15, 2017	April 17, 2017
Expert witness disclosure	March 31, 2017	April 17, 2017
Rebuttal expert disclosure	April 15, 2017	May 1, 2017
Expert discovery cutoff	May 15, 2017	May 30, 2017

All other dates remain as previously set.

IT IS SO ORDERED.

Dated: March 1, 2017

/s/ Eric P. Groj
UNITED STATES MAGISTRATE

JUDGE