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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

11 NAVTEJ SINGH,

12 Plaintiff,

13 v.

14 U.S. COMMERCIAL FREIGHT INC.
15 et al.,

16 Defendants.

Case No. 1:16-cv-00617-SKO

**REVISED THIRD STIPULATION
AND ORDER GRANTING JOINT
REQUEST TO EXTEND
DEADLINES AND TRIAL DATE**

(Doc. 33)

Magistrate Judge Sheila K. Oberto

Trial Date: March 20, 2017

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21 Plaintiff Navtej Singh ("Plaintiff") and Defendants U.S. Commercial Freight,
22 Inc., Yuriy Steganyshyn and Pavel Klimovich ("Defendants") (collectively, the
23 "Parties"), by and through their respective counsel of record, agree that a continuance
24 of the trial date, settlement conference, pretrial conference, and all other trial-related
25 dates and deadlines (including the fact and expert discovery cut-off) is appropriate and
26 in the best interest of the Parties. The trial is currently scheduled to commence on
27 March 20, 2018, the settlement conference is currently set to take place on September
28 21, 2017, and the pretrial conference is currently set to take place on January 24, 2018.

1 The Parties propose that the trial date be continued to May 21, 2018, or soon thereafter.
2 The Parties also propose that all previously ordered trial-related dates and deadlines
3 (including the fact and expert discovery cut-off) be vacated and re-set based on the new
4 proposed dates.

5 The following good cause exists for a continuation of the trial date, settlement
6 conference, pretrial conference and all trial-related dates and deadlines (including
7 the fact and expert discovery cut-off):

8 1. This is the Parties third request for a trial continuance. The first request
9 was made on January 30, 3017. The second request was made on April 19, 2017.

10 2. Good cause exists for the requested extensions because the Parties have
11 agreed to a global mediation in this matter. The mediation date is tentatively
12 scheduled for September 7, 2017. The Parties are hopeful that the case can be
13 resolved at mediation; however, should settlement not be reached, the Parties will
14 need additional time to take expert depositions and prepare dispositive motions.

15 3. To avoid potential prejudice to the Parties' efforts at informal
16 resolution, the Parties have agreed to stipulate to a continuance of the trial date, and
17 all trial-related dates and deadlines (including the fact and expert discovery cut-off);

18 4. A continuance of the trial date and all trial-related dates and deadlines
19 (including the fact and expert discovery cut-off) in these circumstances will result in
20 no prejudice to the Parties or to the court;

21 5. Conversely, without a continuance, because of the current deadlines,
22 the Parties will be required to prepare this matter for trial even though neither the
23 Parties nor their counsel have fruitfully completed discovery, thus counsel for the
24 Parties cannot determine the value of the Plaintiff's claim in this litigation; and

25 6. Furthermore, preparing this matter for trial while discovery is still
26 ongoing and with a pending mediation date scheduled will not promote judicial
27 economy and is a waste of fees, expenses and the Parties' resources, especially since
28 trial preparation, including the depositions of expert witnesses for both parties, will

1 occur even though a successful mediation in this case is a real possibility.
2 Therefore, continuing the trial date will benefit all Parties and the court.

3 IT IS STIPULATED by and between Plaintiff and Defendants, by and
4 through their respective counsel, that:

- 5 (1) the deadline to complete non-expert discovery is EXTENDED from
6 **September 1, 2017 to November 1, 2017;**
- 7 (2) the deadline to complete expert disclosures is EXTENDED from
8 **September 6, 2017 to November 6, 2017;**
- 9 (3) the deadline to complete supplemental expert disclosures is
10 EXTENDED from **October 3, 2017 to December 4, 2017 ;**
- 11 (4) the deadline to complete expert discovery is EXTENDED from
12 **November 2, 2017 to January 2, 2018;**
- 13 (5) the deadline to file non-dispositive motions is EXTENDED from
14 **October 9, 2017 to December 8, 2017;**
- 15 (6) the deadline to for the hearing on non-dispositive motions is
16 EXTENDED from **November 7, 2017 to January 8, 2017;**
- 17 (7) the deadline to file dispositive motions is EXTENDED from **October**
18 **9, 2017 to December 8, 2017;**
- 19 (8) the deadline for the hearing on dispositive motions is EXTENDED
20 from **November 21, 2017 to January 22, 2018;**
- 21 (9) the settlement conference currently scheduled for September 21, 2017
22 in Courtroom 6 before the Honorable Michael J. Seng is continued; the
23 Parties request that a settlement conference be scheduled sometime in
24 **late November 2017 or early December 2017;**
- 25 (10) the pre-trial conference currently scheduled for January 24, 2018 is
26 continued; the Parties request that a pre-trial conference be scheduled
27 sometime between **March 26, 2018 and April 13, 2018;** and

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(11) the trial date currently scheduled for March 20, 2018 is continued; the Parties request that a trial date of **May 21, 2018**, or soon thereafter.

Dated: August 9, 2017 WFBM, LLP

By: /s/ Daniel Schrader
DANIEL P. SCHRADER
JUDIEE L. PINKERTON
MICHAEL J. BELER
Attorneys for Defendants
U.S. Commercial Freight, Inc.; Yuriy
Stefanyshyn and Pavel Klimovich

Dated: August 9, 2017 SODHI LAW GROUP

By: /s/ Jakrun Sodhi
JAKRUN S. SODHI
Attorneys for Plaintiff
NAVTEJ SINGH

ORDER

Based on the parties’ above stipulation (Doc. 33), and for good cause shown, it is HEREBY ORDERED that the Order Granting Parties’ Second Request to Extend Scheduling Dates and Deadlines (Doc. 24) is MODIFIED as follows:

| EVENT | CURRENT DATE | NEW DATE |
|---|--------------------|---|
| Non-expert discovery deadline | September 1, 2017 | November 1, 2017 |
| Expert disclosures | September 6, 2017 | November 6, 2017 |
| Rebuttal expert disclosures | October 3, 2017 | December 4, 2017 |
| Expert discovery deadline | November 2, 2017 | January 2, 2018 |
| Non-dispositive motion filing deadline | October 10, 2017 | December 8, 2017 |
| Non-dispositive motion hearing deadline | November 8, 2017 | January 10, 2018 ¹ |
| Dispositive motion filing deadline | October 10, 2017 | December 8, 2017 |
| Dispositive motion hearing deadline | November 29, 2017 | January 24, 2018 ² |
| Settlement Conference | September 21, 2017 | November 30, 2017 at 1:00 p.m. in Courtroom 6 before United States Magistrate Judge Michael J. Seng |
| Final Pretrial Conference | January 24, 2018 | March 28, 2018 at 2:30 p.m. |

¹ The parties proposed Monday, January 8, 2017 [sic], as the hearing date for non-dispositive motions, but since Magistrate Judge Oberto’s law and motion calendar is set on Wednesdays, the date has been adjusted to the following Wednesday.

² The parties proposed Monday, January 22, 2018, as the hearing date for dispositive motions, but since Magistrate Judge Oberto’s law and motion calendar is set on Wednesdays, the date has been adjusted to the following Wednesday.

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| Trial | March 20, 2018 | May 22, 2018 at 8:30 a.m. ³ |
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IT IS SO ORDERED.

Dated: August 11, 2017

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

³ The parties proposed Monday, May 21, 2018, as the trial date, but since Magistrate Judge Oberto’s trial calendar is set on Tuesdays, the date has been adjusted to the following Tuesday.