

1 GREENBERG TRAUIG, LLP
 MATTHEW R. GERSHMAN (SBN 253031) (gershmanm@gtlaw.com)
 2 RYAN C. BYKERK (SBN 274534) (bykerkr@gtlaw.com)
 1840 Century Park East, Suite 1900
 3 Los Angeles, CA 90067-2121
 Telephone: 310-586-7700 / Facsimile: 310-586-7800

4 CAMERON M. NELSON (Pro Hac Vice) (nelsonc@gtlaw.com)
 JACQUELINE BROUSSEAU (Pro Hac Vice) (brousseauj@gtlaw.com)
 5 77 West Wacker Drive, Suite 3100
 Chicago, IL 60601
 6 Telephone: 312-456-8400 / Facsimile: 312-456-8435
 Attorneys for Plaintiff UL LLC

7 T. SCOTT BELDEN (SBN 184387) (sbelden@beldenblaine.com)
 8 T. TODD EGLAND (SBN 240911) (tegland@beldenblaine.com)
 BELDEN, BLAINE, RAYTIS, LLP
 9 P.O. Box 9129
 Bakersfield, CA 93389-9129
 10 Telephone: 661-864-7827 / Facsimile: 661-878-9797
 Attorneys for Defendants Sturgeon Services International, Inc. and
 11 Engineered Well Service International, Inc.

12 SAM X. J. WU (SBN 183098)
 ALEXEI BRENOT (SBN 194693)
 LAW OFFICES OF SAM X.J. WU. APC
 13 8600 Utica Ave., Building 100
 Rancho Cucamonga, CA 91730
 14 TEL: (909) 393-4642 FAX: (626) 656-8088
 EMAIL: samwulaw@yahoo.com
 15 Attorneys for Defendant John E. Powell, Jr.

16 UNITED STATES DISTRICT COURT
 17 FOR THE EASTERN DISTRICT OF CALIFORNIA

18 UL LLC,
 19 Plaintiff,
 20 v.
 21 Sturgeon Services International, Inc., a California
 corporation, Engineered Well Service International,
 22 Inc., a California corporation, John Powell, an
 individual, and John Does 1-20, individuals,
 23 Defendants.

CASE NO. 1:16-CV-01389-TLN-SAB
**JOINT STIPULATION AND
 APPLICATION FOR A LIMITED
 CONTINUANCE OF THE FACT
 DISCOVERY DEADLINE IN PRETRIAL
 SCHEDULING ORDER; ORDER**
 Hon. Troy L. Nunley

24 AND RELATED COUNTER, THIRD-PARTY,
 AND CROSS-CLAIMS
 25

1 **STIPULATION AND APPLICATION TO CONTINUE FACT DISCOVERY DEADLINE**

2 WHEREAS, on January 23, 2017, the Court issued a Pretrial Scheduling Order (Docket No. 35)
3 (“Order”);

4 WHEREAS, the Order provides, among other things, that the deadline to complete fact discovery
5 is on or before September 8, 2017;

6 WHEREAS, due to the conflicting schedules of third party and party witnesses, the Parties, and
7 their counsel, the Parties require additional time beyond September 8, 2017 to complete the depositions
8 of the witnesses previously noticed, including (a) Chad Givens which the Parties have agreed will be
9 taken in Bakersfield, California, (b) the deposition of UL’s representative which is to be taken in Los
10 Angeles, California; and (c) the continued deposition of SSI / EWS’s representative which is to be taken
11 in Bakersfield, California;

12 WHEREAS, though the Parties have cooperatively conducted written discovery, disputes exist
13 among the Parties as to certain written discovery requests and responses that the Parties require further
14 time to informally resolve in order to avoid unnecessary motion practice;

15 WHEREAS, the Parties are also in active settlement talks that require additional time to
16 complete, and which may moot the need for the taking of previously noticed depositions and any
17 motions related to the Parties’ discovery disputes;

18 WHEREAS, under the circumstances, all of the Parties wish to seek a continuance of the fact
19 discovery deadline in the Order for a period of thirty (30) days, to allow for the completion of already
20 propounded written discovery, resolution of disputes related thereto, and taking of the previously
21 noticed depositions identified hereinabove;

22 IT IS HEREBY AGREED AND STIPULATED by and between the Parties, through their
23 respective counsel of record, that:

- 24 1. There exists good cause to continue the fact discovery deadline in the Order for a period
25 of thirty (30) days to complete currently noticed depositions, outstanding written

1 discovery responses, and resolve discovery disputes that are currently pending, and not to
2 propound additional discovery to the parties or third-parties, or to notice additional
3 depositions, or issue additional subpoenas;

4 2. none of the Parties will suffer prejudice from their jointly requested thirty (30) day
5 limited continuance of the fact discovery deadline in the Order;

6 3. none of the Parties have previously requested a continuance of any of the deadlines
7 previously set by the Court in this case;

8 4. the requested limited continuance is in the interest of judicial economy insofar as it may
9 moot any presently contemplated motion practice and accompanying hearings, and will
10 allow the Parties the necessary time to complete their settlement discussions.

11 5. Subject to the Court's approval and Order upon this Stipulation and Joint Application, the
12 fact discovery deadline will be continued, as limited herein, from September 8, 2017 to
13 October 9, 2017.

14 DATED: August 31, 2017

GREENBERG TRAURIG LLP

15
16 By /s/ Ryan C. Bykerk
17 Matthew R. Gershman
18 Ryan C. Bykerk
Cameron M. Nelson
Jacqueline Brousseau
Attorneys for Plaintiff UL LLC

19 DATED: August 31, 2017

BELDEN, BLAINE, RAYTIS LLP

20
21 By /s/ T. Todd Egland (as authorized on August 31, 2017)
22 T. Scott Belden
23 T. Todd Egland
Attorneys for Defendants Sturgeon Services International,
24 Inc. and Engineered Well Service International, Inc.
25

1 DATED: August 31, 2017

LAW OFFICES OF SAM X.J. WU, APC

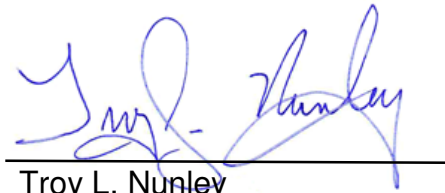
2
3 By /s/ Alexei Brenot (as authorized on August 31, 2017)
4 Attorneys for Defendant, Cross-Claimant, and Cross-
5 Defendant John E. Powell, Jr.

6 **ORDER**

7 The Parties' Stipulation and Application is GRANTED. The fact discovery deadline is
8 continued, as limited in the Parties' Stipulation and Application, from September 8, 2017 to October 9,
9 2017.

10 **IT IS SO ORDERED:**

11 Dated: September 1, 2017

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14 Troy L. Nunley
15 United States District Judge
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