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17 Attorneys for Defendants
18 DHARAM PAL and VIJAY PAL

19 UNITED STATES DISTRICT COURT
20 EASTERN DISTRICT OF CALIFORNIA

21 MARIO TOLLS, TANISHA WILEY,) CASE NO. 1:17-CV-00776-AWI-JLT
22 TANYA MORRISON, and ARISSA)
DICKSON TOLLS,)
23) **JOINT APPLICATION AND**
Plaintiffs,) **STIPULATION FOR AMENDMENT TO**
24) **SCHEDULING ORDER (DOC. 11);**
vs.) **DECLARATION OF COUNSEL;**
25) **[PROPOSED] ORDER**
DHARAM PAL and VIJAY PAL,) **(Doc. 23)**
26)
Defendants.)

1 Plaintiffs Mario Tolls, Tanisha Wiley, Tanya Morrison, and Arissa Dickson Tolls and
 2 Defendants Dharam Pal and Vijay Pal hereby apply and stipulate to the issuance of an amended
 3 scheduling order, continuing the following deadlines:

4 Event	Original Date (Doc. 11)	Proposed Date
5 Non-expert discovery cut off	May 4, 2018	June 29, 2018
6 Expert discovery cut off	July 13, 2018	July 20, 2018
7 Expert witness disclosure	May 11, 2018	June 4, 2018
8 Rebuttal expert disclosure	June 8, 2018	July 2, 2018
9 Non-dispositive motion filing deadline	July 27, 2018	No change
10 Dispositive motion filing deadline	September 10, 2018	No change
11 Pretrial conference	December 11, 2018	No change
12 Trial	February 5, 2019 (5-7 days)	No change

14 There is good cause to grant this request, as set forth below and in the declaration of
 15 plaintiffs' counsel, Liza Cristol-Deman, filed herewith.

16 First, the parties have been diligent throughout the litigation. Plaintiffs have taken the
 17 deposition of defendant Dharam Pal and four significant third-party witnesses. An additional
 18 witness who was subpoenaed to testify at deposition did not appear, and his deposition must be
 19 rescheduled. Defendants have deposed three out of the four plaintiffs. The parties also have
 20 propounded and responded to written discovery without requiring the intervention of the court to
 21 mediate any disputes. Despite their diligence, however, the parties need additional time to depose
 22 defendant Vijay Pal and plaintiff Arissa Dickson, and to depose at least five other third-party
 23 witnesses whose testimony may be critical: David Coston, Bakersfield Code Enforcement, Alicia
 24 Castillo, Travelers' Insurance inspectors, and Linda Eaves.

25 Second, the parties held off on conducting discovery in most of April 2018, in
 26 anticipation of the voluntary mediation with Magistrate Judge Carla M. Woehrle at ADR
 27 Services that was held on April 26, 2018. The parties sought to limit attorneys' fees and costs as
 28 much as possible in the lead up to mediation, but the case did not settle.

1 Third, the parties need to complete the additional discovery described above before
2 returning to settlement negotiations.

3 Fourth, only the deadlines set forth above are affected by granting this request. The dates
4 for the pretrial conference and trial need not change.

5 Fifth, the parties have not requested any previous continuances or extensions of time.

6 A proposed order is lodged herewith.

7 Respectfully submitted,

8
9 Dated: May 1, 2018

BRANCART & BRANCART

10 By: /s/ Liza Cristol-Deman
11 Liza Cristol-Deman
12 Attorney for all Plaintiffs

13 Dated: May 1, 2018

GORDON REES SCULLY MANSUKHANI,
LLP

14 By: /s/ André M. Picciurro
15 (as authorized on May 1, 2018)
16 Attorneys for Defendants
DHARAM PAL AND VIJAY PAL

17 **ORDER**

18 Good cause appearing, the Court **ORDERS** the case schedule to be amended as follows:

- 19 1. Non-expert discovery SHALL be completed by **June 29, 2018**;
20 2. Expert discovery SHALL be completed by **July 20, 2018**;
21 3. Experts SHALL be disclosed by **June 4, 2018** and any rebuttal experts SHALL be
22 disclosed by **July 2, 2018**.

23
24 IT IS SO ORDERED.

25 Dated: May 2, 2018

/s/ Jennifer L. Thurston
26 UNITED STATES MAGISTRATE JUDGE