

1 BASHAR ALGABYALI (SBN: 248265)
balgabyali@gbla.org
2 JINA KIM (SBN: 276706)
jkim@gbla.org
3 GREATER BAKERSFIELD LEGAL ASSISTANCE
4 615 California Ave.
Bakersfield, CA 93304
5 Tel: (661) 325-5943

6 CHRISTOPHER BRANCART (SBN: 128475)
cbrancart@brancart.com
7 LIZA CRISTOL-DEMAN (SBN: 190516)
lcristoldeman@brancart.com
8 BRANCART & BRANCART
9 Post Office Box 686
Pescadero, CA 94060
10 Tel: (650) 879-0141

11 Attorneys for Plaintiffs

12 JASON F. MEYER (SBN: 190800)
jmeyer@grsm.com
13 ANDRÉ M. PICCIURRO (SBN: 239132)
apicciurro@grsm.com
14 GORDON REES SCULLY MANSUKHANI, LLP
15 101 W. Broadway, Suite 2000
San Diego, CA 92101
16 Telephone: (619) 230-7772
Facsimile: (619) 696-7124

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 Plaintiffs,) **JOINT APPLICATION AND**
24 vs.) **STIPULATION FOR EXTENSION OF**
25 DHARAM PAL and VIJAY PAL,) **EXPERT DISCOVERY AND NON-**
26 Defendants.) **DISPOSITIVE MOTION DEADLINE TO**
) **RESUME MEDIATION; DECLARATION**
) **OF COUNSEL; [PROPOSED] ORDER**
) (Doc. 25)

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 stay fact and expert-related
3 discovery, including motion deadlines, while the parties resume mediation with Magistrate Judge
4 Carla M. Woehrle (Ret). The parties seek an amendment of the scheduling order to extend the
5 deadline for expert discovery until September 1, 2018, and the deadline for filing all motions,
6 including dispositive and non-dispositive motions, until September 10, 2018.

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

9 Magistrate Judge Woehrle assisted the parties in a mediation session on April 26, 2018.
10 Recently, however, Defendants Dharam and Vijay Pal have retained personal counsel. The
11 parties believe that this development may affect the prospects for settlement and wish to return to
12 mediation with Magistrate Judge Woehrle. The parties are securing a date with her in mid-
13 August. To maximize the chance of settlement, the parties seek to limit expenses until after the
14 mediation. This necessitates an extension of time for expert discovery, which is currently
15 scheduled to end on July 20, 2018, and the deadline for filing non-dispositive motions, which is
16 currently scheduled for July 27, 2018.

17 The parties have completed fact discovery, with the exception of three depositions. Two
18 third-party witnesses – Ignacio Morales from Bakersfield Code Enforcement and Defendants'
19 former tenant Cyrus Rodriguez -- were subpoenaed during the discovery period but failed to
20 appear. Their depositions will be rescheduled if the mediation fails. A third non-party witness
21 who inspected the subject property on behalf of Defendants' insurance carrier will also be
22 subpoenaed after the mediation by agreement of counsel.

23 Only the deadlines set forth above are affected by granting this request. The dates for the
24 pretrial conference and trial need not change.

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1 The parties previously applied for, and the Court granted, brief extensions of time for
2 discovery and expert disclosures. (ECF 23-24.)

3 A proposed order is lodged herewith.

4 Respectfully submitted,

5 Dated: July 16, 2018

6 BRANCART & BRANCART

7 By: /s/ Liza Cristol-Deman
8 Liza Cristol-Deman
9 Attorney for all Plaintiffs

10 Dated: July 16, 2018

11 GORDON REES SCULLY MANSUKHANI,
12 LLP

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

17 **ORDER**

18 Based upon the stipulation of counsel, the Court **ORDERS**:

19 1. The stipulation is **GRANTED** and the case schedule is modified as follows:

20 a. All expert discovery **SHALL** be completed no later than 9/1/18;

21 b. Non-dispositive motions **SHALL** be filed no later than 9/10/18 and heard
22 no later than 10/8/18.

23 **The Court does not anticipate again modifying the case schedule. The parties**
24 **SHALL complete discovery within the deadlines set here. Absolutely no other amendments**
25 **to the case schedule are authorized at this time.**

26 IT IS SO ORDERED.

27 Dated: July 17, 2018

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