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18 UNITED STATES DISTRICT COURT
19 EASTERN DISTRICT OF CALIFORNIA

21 WENDY CENIS,

22 Plaintiff,

23 v.

24 WINCO HOLDINGS, INC., a corporation;
25 BRANDON RODGERS, an individual;
and DOES 1 through 25, inclusive.

26 Defendants.
27
28

Case No. 1:17-cv-00863-DAD-JLT

**JOINT STIPULATION AND
[PROPOSED] ORDER TO CONTINUE
EXPERT DISCOVERY DEADLINES**

(Doc. 51)

1 Pursuant to Federal Rule of Civil Procedure Rule 26, Plaintiff Wendy Cenis and Defendant
2 WinCo Holdings, Inc. jointly submit this stipulation to continue expert discovery deadlines in this
3 matter. Good cause exists for the continuance as follows:

4 WHEREAS, the parties filed Cross-Motions for Summary Judgment (“Cross-MSJs”), which
5 were both heard before Judge Drozd on December 19, 2017;

6 WHEREAS, the Court entered a Scheduling Order setting expert discovery deadlines as follows:

- 7 • The parties disclose expert on or before November 3, 2017;
- 8 • The parties disclose rebuttal experts on or before December 11, 2017;
- 9 • The parties complete all expert discovery on or before December 29, 2017;

10 WHEREAS, the parties stipulated to continue expert discovery deadlines to allow the Court to
11 rule on the parties’ Cross-MSJs prior to the parties’ incurring additional litigation costs that would be
12 rendered moot pending the Court’s rulings on the Cross-MSJs;

13 WHEREAS, the Court ordered the case schedule amended as follows:

- 14 • The parties disclose experts no later than three weeks after the Court rules on the Cross-
15 MSJS but in no event shall experts be disclosed later than March 16, 2018;
- 16 • Rebuttal experts shall be disclosed three weeks thereafter but no later than April 6, 2018;
- 17 • Expert discovery shall be completed four weeks after the deadline for disclosure of
18 rebuttal experts but no later than May 4, 2018;

19 WHEREAS, the Court has not yet issued rulings on the parties’ Cross-MSJs;

20 WHEREAS, the parties agree that a further continuance of expert discovery deadlines will allow
21 the Court additional time to rule on the parties- Cross-MSJs and prevent unnecessary costs associated
22 with expert discovery in the event the Court dismisses some, or all, of Plaintiff’s claims;

23 WHEREFORE, the parties jointly request that the Court continue the expert discovery deadlines
24 as follows:

- 25 • The parties disclose expert on or before April 20, 2018;
- 26 • The parties disclose rebuttal experts on or before May 2, 2018;
- 27 • The parties complete all expert discovery on or before May 25, 2018.

1 **[PROPOSED] ORDER**

2 **PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING, IT IS SO**
3 **ORDERED** that the current expert discovery deadlines be continued as follows:

- 4 • The parties disclose expert on or before April 20, 2018;
5 • The parties disclose rebuttal experts on or before May 2, 2018;
6 • The parties complete all expert discovery on or before May 25, 2018¹.

7 **The parties are advised that, regardless of whether the motion for summary judgment is decided,**
8 **no further extensions of time will be granted related to expert discovery.**

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10 IT IS SO ORDERED.

11 Dated: March 12, 2018

12 /s/ Jennifer L. Thurston
13 UNITED STATES MAGISTRATE JUDGE

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28 ¹ In granting this stipulation, the Court assumes the parties are aware that there is no extension of time sought or granted related to non-dispositive motions.