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CLUB PALM, LLC. and GEORGE BROWN
SPORTS CLUB, INC.
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9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION
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12 MARIO CUADRA,
13 Plaintiff,
14 v.
15 GEORGE BROWN SPORTS CLUB-PALM,
16 LLC; GEORGE BROWN SPORTS CLUB,
INC.; JOHNSTON CONTRACTING, INC.;
and DOES 1 to 100, inclusive,
17 Defendants.
18

Case No. 1:17-cv-01063-DAD-EPG
**STIPULATION FOR THE
CONTINUANCE OF THE NON-EXPERT
DISCOVERY CUTOFF DATE**

19 AND ALL RELATED MATTERS
20

21 Plaintiff MARIO CUADRA (“Plaintiff”), Third-Party Defendant/Third-Party Cross-
22 Claimant/Cross-Defendant, KENNETH GLEN CLARK dba CLARK INSTALLATION (“Clark
23 Installation”), Third-Party Defendant/Third-Party Plaintiff/Cross-Defendant WMC, INC. dba TEC-
24 SPEC CONSTRUCTIONS (“Tec-Spec”), Defendant and Third-Party Plaintiff JOHNSTON
25 CONTRACTING, INC. (“Johnston”), Defendants GEORGE BROWN SPORTS CLUB PALM,
26 LLC and GEORGE BROWN SPORTS CLUB, INC. (collectively “GB3”) (hereinafter collectively
27 referred to as “Parties”), by and through their respective counsel, hereby stipulate and agree as
28

1 follows:

2 1. Pursuant to the Scheduling Conference Order of the Court, Dkt. 47 (filed on
3 3/09/2018), the Nonexpert Discovery Cutoff date is December 7, 2018.

4 2. Pursuant to the Scheduling Conference Order of the Court, Dkt. 47 (filed on
5 3/09/2018), the Expert Disclosure date is January 7, 2019.

6 3. Pursuant to the Scheduling Conference Order of the Court, Dkt. 47 (filed on
7 3/09/2018), the Rebuttal Expert Disclosure date is February 7, 2019.

8 4. Pursuant to the Scheduling Conference Order of the Court, Dkt. 47 (filed on
9 3/09/2018), the Expert Discovery Cutoff date is March 7, 2019.

10 5. All Parties are amenable to extending the Nonexpert Discovery Cutoff date to
11 February 8, 2019, to permit the parties to complete Independent Medical Examinations pursuant to
12 Rule 35 of the Federal Rules of Civil Procedure, lay witness depositions, and written discovery.

13 6. All Parties are amenable to extending the Expert Disclosure date to February 22,
14 2019.

15 7. All Parties are amenable to extending the Rebuttal Expert Disclosure date to March
16 15, 2019.

17 8. All Parties are amenable to extending the Expert Discovery Cutoff date to April 19,
18 2019

19 9. A continuance of the above dates will allow the Parties to participate in a meaningful
20 mediation and allow the best opportunity to settle the matter by avoiding undue expense.

21 10. This stipulation is not intended to extend the Dispositive Motion Filing Deadline of
22 April 22, 2019.

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25 Respectfully submitted,

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Dated: November ____, 2018

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

By: _____
Anthony N. DeMaria
Jessica Boujikian
Attorneys for GEORGE BROWN SPORTS CLUB
PALM, LLC. and GEORGE BROWN SPORTS
CLUB, INC.

Dated: November ____, 2018

O'BRIEN & ASSOCIATES

By: _____
Patrick K. O'Brien
Kathleen C. Miller
Attorneys for KENNETH GLEN CLARK dba
CLARK INSTALLATION

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Dated: November ____, 2018

YOKA & SMITH LLP

By: _____
Sung Ho (Sean) Kim, Esq.
Alice Chen Smith
Alexander J. Sharp
Attorneys for WCM, INC. dba TEC-SPEC
CONSTRUCTIONS

Dated: November ____, 2018

LONG & DELIS

By: _____
T. Patrick Long
Warren B. Campbell
Attorneys for JOHNSTON CONTRACTING, INC.

Dated: November ____, 2018

DIAS HALL

By: _____
Steven S. Dias
Robin M. Hall
Attorneys for MARIO CUADRA

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ORDER

Pursuant to the above stipulation, and good cause appearing, the Scheduling Order, (ECF No. 47), in this action is modified as follows: the Nonexpert Discovery Cutoff date is February 8, 2019; the Expert Disclosure date is February 22, 2019; the Rebuttal Expert Disclosure date is March 15, 2019; and the Expert Discovery Cutoff date is April 19, 2019. All other dates in the Scheduling Order shall remain unchanged.

IT IS SO ORDERED.

Dated: November 16, 2018

/s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE