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UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA

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17 RICHARD ROMERO

18 Plaintiff,

19 v.

20 AGRIMUM, INC. dba CROP PRODUCTION
SERVICES, INC. and DOES 1-50, inclusive,

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Defendant.

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Case No. 1:17-cv-01080-DAD-SKO

**STIPULATION AND ORDER TO
CONTINUE TRIAL AND PRETRIAL
DATES**

(Doc. 9)

1 Defendant AGRIMUM, INC. (erroneously sued as Agrium, Inc. dba Crop Production Services,
2 Inc.) (“Defendant”) and Plaintiff Richard Romero (“Plaintiff”) (collectively, “Parties”), through their
3 counsel of record, hereby agree and stipulate as follows:

4 WHEREAS, the Court’s Scheduling Order dated November 15, 2017, initially set the
5 following dates in this action:

Event	Date
Non-Expert Discovery Cut-Off	September 28, 2018
Expert Disclosures	October 10, 2018
Rebuttal Expert Disclosures	October 25, 2018
Expert Discovery	November 15, 2018
Last day to File Non-Dispositive Motion	November 21, 2018
Last day to hear Non-Dispositive Motions	December 19, 2018
Last day to File Dispositive Motion	November 26, 2018
Hearing on Dispositive Motion	January 7, 2019
Settlement Conference	April 2, 2019 at 1:00 p.m. Courtroom 10
Pretrial Conference	March 18, 2019 at 1:30 p.m. Courtroom 5
Trial	May 14, 2019 at 8:30 a.m. Courtroom 5

19 WHEREAS, the Parties have engaged in discovery and have diligently litigated this action;

20 WHEREAS, the Parties have agreed to participate in private mediation;

21 WHEREAS, the Parties have met and conferred on the subject of continuing the trial, and
22 pretrial dates, and stipulate and request that the Court extend the trial and pretrial dates by 90 days
23 to allow the Parties sufficient time to schedule and attend mediation, to complete additional
24 discovery, if necessary, and to initiate any necessary motion practice;

25 WHEREAS, no party has previously requested a continuance of the trial in this case; this is
26 the Parties’ first request for a continuance of the trial and related dates; the requested continuance is
27 not being sought for the purpose of delay, but rather, to promote the interest of judicial efficiency
28 and economy; and no party will be prejudiced by the requested continuance.

1 ACCORDINGLY, FOR GOOD CAUSE SHOWN, THE PARTIES STIPULATE AND
2 AGREE AS FOLLOWS:

3 The Parties request that the Court grant the [Proposed] Order for Continuance of Trial and
4 Pretrial Dates, and continue all dates as set forth in the Amended Schedule of Trial and Pretrial
5 Deadlines attached as Exhibit A, or as the Court otherwise deems convenient and appropriate.

7 DATED: August 29, 2018 OGLETREE, DEAKINS, NASH, SMOAK &
8 STEWART, P.C.

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10 By: /s/ Kelsey A. Webber
11 Anthony J. DeCristoforo
12 Kelsey A. Webber
13 Attorneys for Defendant AGRIMUM, INC.
(erroneously sued as Agrium, Inc. dba Crop
Production Services, Inc.)

14 DATED: August 29, 2018 TUTTLE & MCCLOSKEY
15 A PROFESSIONAL CORPORATION

16
17 By: /s/ Joshua F. Richtel
18 JOSHUA F. RICHTEL
Attorneys For Plaintiff RICHARD ROMERO

19 **ATTESTATION**

20 Pursuant to Local Rule 5-1(i)(1), I attest that concurrence in the filing of this document has
21 been obtained from the other signator.

22 DATED: August 29, 2018 OGLETREE, DEAKINS, NASH, SMOAK &
23 STEWART, P.C.

24
25 By: /s/ Kelsey A. Webber
26 Anthony J. DeCristoforo
27 Kelsey A. Webber
28 Attorneys for Defendant AGRIMUM, INC.
(erroneously sued as Agrium, Inc. dba Crop
Production Services, Inc.)

EXHIBIT A

Amended Schedule of Trial and Pretrial Dates

Event	Prior Date	Continued Date
Non-Expert Discovery Cut-Off	September 28, 2018	December 28, 2018
Expert Disclosures	October 10, 2018	January 16, 2019
Rebuttal Expert Disclosures	October 25, 2018	January 31, 2019
Expert Discovery	November 15, 2018	February 21, 2019
Last day to File Non-Dispositive Motion	November 21, 2018	February 27, 2019
Last day to hear Non-Dispositive Motions	December 19, 2018	March 27, 2019
Last day to File Dispositive Motion	November 26, 2018	March 4, 2019
Hearing on Dispositive Motion	January 7, 2019	April 8, 2019
Settlement Conference	April 2, 2019 at 1:00 p.m. Courtroom 10	July 2, 2019 at 1:00 p.m. Courtroom 10
Pretrial Conference	March 18, 2019 at 1:30 p.m. Courtroom 5	June 17, 2019 at 1:30 p.m. Courtroom 5
Trial	May 14, 2019 at 8:30 a.m. Courtroom 5	August 13, 2019 at 8:30 a.m. Courtroom 5

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ORDER

The Court has reviewed the Joint Stipulation and Request for Continuance of Trial and Pretrial Dates and Deadlines filed by Defendant AGRIMUM, INC. (erroneously sued as Agrium, Inc. dba Crop Production Services, Inc.) (“Defendant”) and Plaintiff Richard Romero (“Plaintiff”) (collectively, “Parties”), through their counsel of record, requesting that the Court enter an Order continuing the trial and pretrial dates and deadlines in this action by 90 days. (Doc. 9)

Pursuant to the Parties’ stipulation, with good cause shown, the Court hereby ORDERS that the Scheduling Order (Doc. 8) is modified as follows:¹

Event	Prior Date	Continued Date
Non-Expert Discovery Cut-Off	September 28, 2018	December 28, 2018
Expert Disclosures	October 10, 2018	January 16, 2019
Rebuttal Expert Disclosures	October 25, 2018	January 31, 2019
Expert Discovery	November 15, 2018	February 21, 2019
Last day to File Non-Dispositive Motion	November 21, 2018	February 27, 2019
Last day to hear Non-Dispositive Motions	December 19, 2018	March 27, 2019
Last day to File Dispositive Motion	November 26, 2018	March 4, 2019
Hearing on Dispositive Motion	January 7, 2019	April 16, 2019
Settlement Conference	April 2, 2019 at 1:00 p.m. Courtroom 10	June 20, 2019 at 1:00 p.m. Courtroom 10
Pretrial Conference	March 18, 2019 at 1:30 p.m.	June 24, 2019 at 1:30

¹ Several of the dates proposed by the parties have been adjusted to comport with the Court’s calendar, to allow the Court adequate time to rule on dispositive motions, and to permit the parties sufficient time to prepare their pretrial submissions and for trial.

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	Courtroom 5	p.m. Courtroom 5
Trial	May 14, 2019 at 8:30 a.m. Courtroom 5	August 20, 2019 at 1:00 p.m. Courtroom 5

IT IS SO ORDERED.

Dated: August 31, 2018

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE