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15 **UNITED STATES DISTRICT COURT**
16 **EASTERN DISTRICT OF CALIFORNIA**
17 **FRESNO DIVISION**

18 **E. & J. GALLO WINERY**, a California
19 corporation; **GALLO GLASS COMPANY**, a
Nevada Corporation;

20 Plaintiff,

21 v.

22 **STRATEGIC MATERIALS, INC.**, a
23 Delaware corporation;

24 Defendant.

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CASE NO. 1:17-CV-01709-AWI-EPG

**JOINT STIPULATION AND ORDER TO
EXTEND THE CUTOFF FOR CERTAIN
DEPOSITIONS**

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THE PARTIES THROUGH THEIR UNDERSIGNED COUNSEL STIPULATE as follows:

WHEREAS, on September 10, 2019, this Court issued an Order Adopting Stipulation Regarding Scheduling Order In Part And Further Modifying The Scheduling Order (Dkt. No. 76), which, among other things orders that all depositions of Gallo FRCP 30(b)(6) witnesses on Batch Costs shall be completed by October 31, 2019;

WHEREAS, on October 23, 2019, this Court issued an Order Adopting Stipulation Regarding Extending the Cutoff For Certain Depositions (Dkt. No 89), which orders that all Gallo 30(b)(6) depositions shall be completed by November 8, 2019;

WHEREAS, one of Gallo’s witnesses scheduled to be deposed on November 8, 2019 unexpectedly became ill, and was unable to provide testimony on November 8, 2019;

WHEREAS, having reviewed the respective schedules of counsel and the remaining witness, the parties propose completing the 30(b)(6) deposition of the previously-scheduled witness on or before November 14, 2019.

THEREFORE, the parties hereby stipulate and agree, and respectfully request that the Court order that, the parties may complete the deposition of the final Gallo 30(b)(6) witness by November 14, 2019, and all other discovery deadlines remained unchanged.

DATED: November 12, 2019

GIBSON, DUNN & CRUTCHER LLP

By: s/ Jason Lo
Jason Lo
Attorneys for Defendant

DATED: November 12, 2019

COTCHETT, PITRE & McCARTHY, LLP

By: s/ Julie L. Fieber
Julie L. Fieber
Attorneys for Plaintiffs

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ORDER

Having considered the parties' stipulation, and good cause appearing therefore, the Court hereby orders:

The parties may complete the depositions of Gallo 30(b)(6) witness by November 14, 2019, and all other deadlines remained unchanged.

IT IS SO ORDERED.

Dated: November 13, 2019

/s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE