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 WEST PACIFIC ELECTRIC COMPANY
 7 CORPORATION

8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

11 WEST PACIFIC ELECTRIC COMPANY
 12 CORPORATION,

13 Plaintiff,

14 v.

15 DRAGADOS/FLATIRON, a joint venture;
 LIBERTY MUTUAL INSURANCE
 16 COMPANY, a Massachusetts corporation;
 FIDELITY AND DEPOSIT COMPANY
 17 OF MARYLAND, a Maryland corporation;
 ZURICH AMERICAN INSURANCE
 18 COMPANY, a New York corporation;
 THE CONTINENTAL INSURANCE
 19 COMPANY, a Pennsylvania corporation;
 XL SPECIALTY INSURANCE
 20 COMPANY, a Delaware corporation; THE
 INSURANCE COMPANY OF THE
 21 STATE OF PENNSYLVANIA, a
 Pennsylvania corporation; AMERICAN
 22 HOME ASSURANCE COMPANY, a New
 York corporation; NATIONAL
 23 INDEMNITY COMPANY, a Nebraska
 corporation; TRAVELERS CASUALTY
 24 AND SURETY COMPANY OF
 AMERICA, a Connecticut corporation;
 25 FEDERAL INSURANCE COMPANY, an
 Indiana corporation,

26 Defendants.
 27

Case No. 1:18-CV-00166-LJO-BAM

**STIPULATION AND REQUEST TO
 FURTHER CONTINUE MANDATORY
 SCHEDULING CONFERENCE**

Complaint Filed: January 30, 2018

MURPHY AUSTIN ADAMS SCHOENFELD LLP

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1 Pursuant to Rule 144 of the United States District Court for the Eastern District of
2 California, Plaintiff West Pacific Electric Company, Inc. and Defendants Dragados/Flatiron,
3 Liberty Mutual Insurance Company, Fidelity and Deposit Company of Maryland, Zurich
4 American Insurance Company, The Continental Insurance Company, XL Specialty Insurance
5 Company, The Insurance Company of the State of Pennsylvania, American Home Assurance
6 Company, National Indemnity Company, Travelers Casualty and Surety Company of America,
7 and Federal Insurance Company (collectively, “the Parties”) hereby stipulate, agree, and request
8 that the Scheduling Conference currently set for May 30, 2018 at 9:00 a.m. be continued to July
9 5, 2018 at 9:00 a.m. or such subsequent time as the Court deems appropriate. The Parties further
10 stipulate that the case schedule set forth in the Court’s Order Setting Mandatory Scheduling
11 Conference (Document 3) be further modified as follows:

- 12 1. Deadlines currently set for May 9, 2018 : LD for trial counsel for all parties to
13 conduct and conclude a conference at a time and place arranged by counsel for the
14 plaintiff, shall be moved to June 14, 2018;
- 15 2. Deadlines currently set for May 21, 2018: LD to file a Joint Scheduling Report be
16 moved to June 26; and
- 17 3. Deadlines currently set for May 8, 2018, pursuant to Federal Rule of Civil
18 Procedure 26(f) shall be moved to June 13, 2018.

19 There is good cause for this stipulation and request. The current Scheduling Conference
20 was continued to May 30, 2018 based on Defendant Dragados/Flatiron’s Motion to Dismiss
21 being set for hearing on April 10, 2018. On May 4, 2018, the court requested additional briefing
22 which will not be concluded until May 31, 2018. A brief continuance of the Scheduling
23 Conference and corresponding deadlines set forth above (to hopefully allow the Court to rule on
24 the motion to dismiss before the conference and initial disclosure deadline) will allow the Parties
25 to more meaningfully comply with their obligations under Rule 26 and the applicable Local
26 Rules.

27 There has only been one previous extension of the scheduling conference date and related
28 deadlines pursuant to stipulation in this case and granting this stipulation and request will have no

1 significant impact on the schedule for this case as no trial date has been scheduled.

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Dated: May 7, 2018

MURPHY AUSTIN ADAMS SCHOENFELD LLP

By /s/ Lisa D. Nicolls
D. MICHAEL SCHOENFELD
LISA D. NICOLLS
Attorneys for Plaintiff
WEST PACIFIC ELECTRIC COMPANY
CORPORATION

Dated: May 7, 2018

FINCH, THORNTON & BAIRD, LLP

By /s/ David W. Smiley
P. RANDOLPH FINCH, JR.
DAVID W. SMILEY
Attorneys for Defendants

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ORDER

Having reviewed the parties' stipulation (Doc 44), and good cause appearing, IT IS HEREBY ORDERED that the Mandatory Scheduling Conference is continued from May 30, 2018 to July 24, 2018, at 10:00 AM in Courtroom 8 before Judge Barbara A. McAuliffe. A JOINT Scheduling Conference Report, carefully prepared and executed by all counsel, shall be electronically filed in full compliance with the requirements set forth in the Order Setting Mandatory Scheduling Conference, one (1) full week prior to the Scheduling Conference, and a copy shall be emailed, in Word format, to bamorders@caed.uscourts.gov. The case schedule set forth in the Court's Order Setting Mandatory Scheduling Conference (Document 3) is modified as follows:

1. Deadlines currently set for May 9, 2018: LD for trial counsel for all parties to conduct and conclude a conference at a time and place arranged by counsel for the plaintiff, shall be moved to June 14, 2018;
2. Deadlines currently set for May 8, 2018 pursuant to Federal Rule of Civil Procedure 26(f) be moved to June 13, 2018.

IT IS SO ORDERED.

Dated: May 9, 2018

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE