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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

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11 CHARLES H. LEWIS and JANE W. NO. CIV. 2:03-2646 WBS CKD
12 LEWIS,

13 Plaintiffs,

ORDER RE: MOTION TO AMEND STATUS
(PRETRIAL SCHEDULING) ORDER

14 v.

15 ROBERT D. RUSSELL; IRENE
16 RUSSELL; BEN J. NEWITT; the
17 Estate of PHILLIP NEWITT,
18 Deceased; JUNG HANG SUH; SOO
19 JUNG SUH; JUNG K. SEO; THE DAVIS
20 CENTER, LLC; MELVIN R. STOVER,
21 individually and as trustee of
22 the Stover Family Trust; EMILY
23 A. STOVER, individually and as
24 trustee of the Stover Family
25 Trust; STOVER FAMILY TRUST;
26 RICHARD ALBERT STINCHFIELD,
27 individually and as successor
28 trustee of the Robert S.
Stinchfield Separate Property
Revocable Trust, and as trustee
of the Barbara Ellen Stinchfield
Testamentary Trust; ROBERT S.
STINCHFIELD SEPARATE PROPERTY
REVOCABLE TRUST; THE BARBARA
ELLEN STINCHFIELD TESTAMENTARY
TRUST; WORKROOM SUPPLY, INC., a
California corporation; SAFETY-
KLEEN CORPORATION, a California
corporation; the CITY OF DAVIS;
JENSEN MANUFACTURING COMPANY;
VIC MANUFACTURING COMPANY;

1 MARTIN FRANCHISES INC., aka/dba
2 MARTINIZING DRY CLEANING,

3 Defendants.

4 AND RELATED COUNTER, CROSS,
5 AND THIRD PARTY CLAIMS.

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7 Charles H. Lewis and Jane W. Lewis (the "Lewises")
8 brought this action pursuant to the Comprehensive Environmental
9 Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C.
10 §§ 9601-9675, for recovery of costs incurred to remove hazardous
11 substances from a piece of real property located in Davis,
12 California ("Property"). Various cross-, counter-, and third-
13 party claims were subsequently filed. Currently before the court
14 is The Davis Center, LLC, Emily Stover,¹ and Richard
15 Stinchfield's² (collectively, "Davis Center") motion to amend the
16 April 14, 2011 Status (Pretrial Scheduling) Order. (Docket No.
17 447.)

18 The April 14, 2011 Status (Pretrial Scheduling) Order
19 set the discovery deadline for March 21, 2014, the motion
20 deadline for May 23, 2014, the Final Pretrial Conference for July
21 21, 2014, and the trial date for September 16, 2014. (Docket No.
22 344.) Davis Center wishes to extend all deadlines 180 days while
23 it explores "a detailed investigative program and laboratory

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25 ¹ Emily Stover files the motion individually, as trustee
26 of the Stover Family trust, and as personal representative for
Melvin Stover (deceased).

27 ² Richard Stinchfield files the motion individually, as
28 trustee of the Robert S. Stinchfield Separate Real Property
Trust, and as Trustee of the Barbara Ellen Stinchfield
Testamentary Trust.

1 study" of "a viable remediation approach for the site." (Davis
2 Center's Mem. in Supp. of Mot. to Stay at 3:12-15 (Docket No.
3 448).)

4 Although the court is skeptical that good cause exists
5 to modify the Status Order when the parties have had over ten
6 years to pursue the study and a global settlement, no party has
7 filed an opposition to Davis Center's motion. To the contrary,
8 all parties who have an interest in this matter have
9 affirmatively stated their non-opposition to the request. (See
10 Docket Nos. 452-454, 456 (statements of non-opposition filed by
11 various parties).) The court will accordingly grant the motion.

12 IT IS THEREFORE ORDERED that Davis Center's motion to
13 amend the April 14, 2011 Status (Pretrial Scheduling) Order be,
14 and the same hereby is, GRANTED. The deadlines provided in the
15 April 14, 2011 Status (Pretrial Scheduling) Order are hereby
16 VACATED and AMENDED as follows:

17 Discovery Deadline: no later than September 19, 2014;

18 Motion Deadline: no later than November 21, 2014;

19 Final Pretrial Conference: January 20, 2015 at 2:00 p.m.;

20 and

21 Trial Date: March 17, 2015 at 9:00 a.m.

22 All other dates, times, and information provided in the April 14,
23 2011 Status (Pretrial Scheduling) Order shall remain unchanged.

24 DATED: August 29, 2013

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27 WILLIAM B. SHUBB

28 UNITED STATES DISTRICT JUDGE