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6 Attorneys for Defendants/Cross-Complainants/
 Third Party Plaintiffs,
 7 THE DAVIS CENTER, LLC; EMILY STOVER,
 Individually and as Trustee of the STOVER FAMILY
 8 TRUST and as Personal Representative for Melvin Stover
 (Deceased); and RICHARD ALBERT STINCHFIELD,
 9 Individually and as Trustee of the ROBERT S.
 STINCHFIELD SEPARATE REAL PROPERTY TRUST
 10 and as Trustee of the BARBARA ELLEN STINCHFIELD
 TESTAMENTARY TRUST

11 **UNITED STATES DISTRICT COURT**

12 **EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION**

13 CHARLES LEWIS,

14 Plaintiff,

15 v.

16 ROBERT RUSSELL, et al.,

17 Defendants.

Case No. CIV S-03-2646 WBS KJM

**STIPULATION TO EXTEND THE
 EXPERT DISCLOSURE DEADLINE TO
 A DATE CONSISTENT WITH ORDER
 GRANTING THE DAVIS CENTER, LLC,
 ET AL.’S MOTION TO MODIFY APRIL
 11, 2011 STATUS ORDER AND ORDER
 THEREON**

Trial Date: March 17, 2015

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 21 AND RELATED CROSS-ACTIONS.

22 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

23 On August 30, 2013, the Court granted THE DAVIS CENTER, LLC; EMILY STOVER,
 24 Individually and as Trustee of the STOVER FAMILY TRUST and as Personal Representative for
 25 Melvin Stover (Deceased); and RICHARD ALBERT STINCHFIELD, Individually and as
 26 Trustee of the ROBERT S. STINCHFIELD SEPARATE REAL PROPERTY TRUST and as
 27 Trustee of the BARBARA ELLEN STINCHFIELD TESTAMENTARY TRUST’s (collectively
 28

1 the “Davis Center”) Motion to Modify the April 11, 2011 Status Order (“Motion”) and extended
2 the trial date and many of the discovery and litigation related deadlines. (Docket No. 457.) The
3 Order, however, left the disclosure of experts and of expert reports for September 13, 2013, with
4 rebuttal expert disclosures and production of reports for November 15, 2013. The basis for the
5 Motion was to extend the deadlines to provide the Davis Center with sufficient time to complete
6 an investigative study to determine the efficacy of a potential site remedy. Given the additional
7 work the Davis Center plans to complete, expert disclosures and production of the reports is
8 premature because these disclosures and reports would lack the data generated from the
9 investigative study and, as a result, these reports would be incomplete. Such a result would create
10 needless work and expense to the parties.

11 The participating partiesⁱ appearing in the above-entitled action due hereby stipulate to
12 extend the deadline to disclose experts and produce reports from September 13, 2013 to March
13 12, 2014 and rebuttal experts and production of rebuttal expert reports from November 15, 2013
14 to May 10, 2014.

15 **SO STIPULATED.**

16 DATED: September 4, 2013

/s/ Jason A. rose

Chad N. Dunigan

Jason A. Rose

Attorneys for Defendants/Cross-Complainants/
Third Party Plaintiffs, THE DAVIS CENTER, LLC;
EMILY STOVER, Individually and as Trustee of the
STOVER FAMILY TRUST and as Personal Representative
for Melvin Stover (Deceased); and RICHARD ALBERT
STINCHFIELD, Individually and as Trustee of the
ROBERT S. STINCHFIELD SEPARATE REAL
PROPERTY TRUST and as Trustee of the BARBARA
ELLEN STINCHFIELD TESTAMENTARY TRUST

24 DATED: September _5, 2013

/s/ Jeffory J. Scharff

Jeffory J. Scharff

Attorney for Potter Taylor & Company, and it
predecessors-in-interest: Potter, Long, Adams & Taylor,
Ltd.; Davis Center; Potter-Taylor, Inc.; and Potter Taylor &
Scurfield, Inc.

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DATED: September _5, 2013

/s/ Daniel W. Smith
Daniel W. Smith
Attorneys for Robert D. Russell (Deceased) and Irene Russell.

DATED: September _4, 2013

/s/ Jennifer Hartman King
Jennifer Hartman King
Attorneys for the City of Davis

DATED: September _3, 2013

/s/ Olivia Marie Wright
Steven H. Goldberg
Olivia Marie Wright
Attorneys for Marie L. Whitcombe (Deceased)

DATED: September _3, 2013

/s/ S. Craig Hunter
S. Craig Hunter
Attorney for Charles H. Lewis and Jane W. Lewis (Deceased)

ORDER

Pursuant to stipulation, it is hereby ordered that the parties must disclose experts and produce reports in accordance with Federal Rule of Civil Procedure 26(a)(2) by no later than March 12, 2014. Experts whose testimony is intended solely for rebuttal must be disclosed and reports produced in accordance with Federal Rule of Civil Procedure 26(a)(2) on or before May 10, 2014.

SO ORDERED.

DATED: September 18, 2013

Allison Claire
ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE

ⁱ Jung Hang Suh, Soo Jung Suh, and Jung K. Seo have not participated in this case for years and are not part of the group of parties that is directly involved in trying to resolve this matter.