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11 Attorneys for Defendant
 12 CITY OF DAVIS

13 **UNITED STATES DISTRICT COURT**
 14 **EASTERN DISTRICT OF CALIFORNIA**

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16 CHARLES H. LEWIS AND JANE W.
 17 LEWIS,

18 Plaintiffs,

19 v.

20 ROBERT D. RUSSELL, ET AL.,

21 Defendants,

Case No. 2:03-CV-02646-WBS-AC

**AMENDED STIPULATION TO
 CONTINUE
 THE CITY OF DAVIS'S
 MOTION TO COMPEL AND FOR
 SANCTIONS AS TO
 THE DAVIS CENTER;**

[PROPOSED] ORDER

[LR 144]

Hearing Date: September 21, 2016
 New Date: November 2, 2016
 Time: 10:00 a.m.
 Courtroom: 26, 8th Floor
 Magistrate Judge: Hon. Allison Claire

26 AND RELATED COUNTER, CROSS AND
 27 THIRD PARTY CLAIMS.

28 00012937.1

STIPULATION

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3 Defendant, The City of Davis (the “City”), and Defendant/Cross-Complainants/Third
4 Party Plaintiffs THE DAVIS CENTER LLC; EMILY STOVER, Individually, and as Trustee of
5 the STOVER FAMILY TRUST and as Personal Representative for Melvin Stover (Deceased);
6 and RICHARD ALBERT STINCHFIELD, Individually and as Trustee of the ROBERT S.
7 STINCHFIELD SEPARATE REAL PROPERTY TRUST and as Trustee of the BARBARA
8 ELLEN STINCHFIELD TESTAMENTARY TRUST (“The Davis Center”), (collectively, the
9 “Parties”), by and through their respective counsel, hereby stipulate as follows:

10 WHEREAS, the City noticed a Motion to Compel and for Sanctions (“Motion”), as to The
11 Davis Center which is set for hearing before the Honorable Allison Claire on September 21,
12 2016;

13 WHEREAS, the City’s Motion seeks an order from the Court compelling The Davis
14 Center to produce a prepared witness for the City to depose, pursuant to Federal Rule of Civil
15 Procedure rule 30(b)(6) (“Rule 30(b)(6)”), by the discovery cutoff deadline of September 21,
16 2016;

17 WHEREAS, on September 6, 2016, The Davis Center agreed to produce a prepared
18 witness pursuant to Rule 30(b)(6) on September 21, 2016, in Woodland Hills, California;

19 WHEREAS, this is the first request for continuance of the hearing on the City’s Motion;

20 WHEREAS, to allow for the City’s deposition of The Davis Center’s witness to occur, the
21 Parties stipulate to continue the hearing on the City’s Motion to a new date of November 2, 2016
22 at 10:00 a.m., or at such date and time that is convenient for the Court;

23 WHEREAS, the Parties stipulate that all deadlines and/or requirements applicable to the
24 City’s Motion pursuant to the Federal Rules of Civil Procedure or Local Rules shall run from the
25 new hearing date;

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NOW THEREFORE, the Parties hereby stipulate to the recitals set forth directly above.

Dated: September 12, 2016

Respectfully submitted,

KING WILLIAMS LLP

By: /s/ Jennifer Hartman King
Jennifer Hartman King
Attorneys for Defendant
CITY OF DAVIS

Dated: September 12, 2016

Respectfully submitted,

KOELLER, NEBEKER,
CARLSON & HALUCK, LLP

By: /s/ Peter W. Dye
Peter W. Dye
Attorneys for 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

PROPOSED ORDER

Pursuant to the foregoing Stipulation,

IT IS SO ORDERED.

Dated: September 20, 2016



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE