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KING WILLIAMS LLP

1 2 3 4 5 6 7	JENNIFER HARTMAN KING (Bar No. 2113 ALANNA C. LUNGREN (Bar No. 269668) TYLER BOWLIN (Bar No. 305715) KING WILLIAMS LLP 520 Capitol Mall, Suite 750 Sacramento, CA 95814 Telephone: (916) 379-7530 Facsimile: (916) 379-7535 JHartmanKing@KingWilliamsLaw.com ALungren@KingWilliamsLaw.com TBowlin@KingWilliamsLaw.com BEST, BEST & KRIEGER LLP HARRIET A. STEINER (Bar No. 109436)	13) Exempt From Filing Fees Pursuant To Government Code Section 6103	
8 9	500 Capitol Mall, Suite 1700 Sacramento, CA 95814 Telephone: (916) 325-4000 Facsimile: (916) 325-4010	Government Code Section 0105	
10	Harriet.Steiner@bbklaw.com		
11	Attorneys for Defendant CITY OF DAVIS		
12			
13	UNITED STATES DISTRICT COURT		
14	EASTERN DISTRICT OF CALIFORNIA		
15			
16	CHARLES H. LEWIS AND JANE W. LEWIS,	Case No.: CIV S-03-2646 WBS AC	
17		STIPULATION TO CONTINUE THE CITY OF DAVIS'S	
18	Plaintiffs,	MOTION TO COMPEL AND FOR SANCTIONS AS TO	
19		THE DAVIS CENTER;	
20	ROBERT D. RUSSELL, ET AL.,	[PROPOSED] ORDER	
21	Defendants,	[LR 144]	
22		Hearing Date: November 2, 2016 New Date: December 14, 2016	
23		Time: 10:00 a.m. Courtroom: 26, 8 th Floor	
24		Magistrate Judge: Hon. Allison Claire	
25			
26	AND RELATED COUNTER, CROSS AND THIRD PARTY CLAIMS.		
27	THIRD PARTY CLAIMS.		
28	10-25-2016 Stipulation to Continue COD Motion to Compel and for Sanctions.1 00012904.1	1	
	STIPULATION TO CONTINUE THE CITY (DF DAVIS'S MOTION TO COMPEL/SANCTIONS SED] ORDER	

1	STIPULATION	
2		
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 November 2, 2016;	
12	WHEREAS, the City's Motion seeks an order from the Court compelling The Davis	
13	Center to produce a prepared witness for the City to depose, pursuant to Federal Rule of Civil	
14	Procedure rule 30(b)(6) ("Rule 30(b)(6)"), by the discovery cutoff deadline of September 21,	
15	2016;	
16	WHEREAS, on September 21, 2016, The Davis Center produced for deposition its Rule	
17	30(b)(6) designated witness in Woodland Hills, California;	
18	WHEREAS, the City's Motion also seeks an order for sanctions as to The Davis Center;	
19	WHEREAS, this is the second request for continuance of the hearing on the City's	
20	Motion;	
21	WHEREAS, to allow the City and The Davis Center sufficient time to potentially reach a	
22	mutually agreeable resolution and avoid the need for a hearing on the City's Motion, the Parties	
23	stipulate to continue the hearing on the City's Motion to a new date of December 14, 2016 at	
24	10:00 a.m., or at such date and time that is convenient for the Court;	
25	WHEREAS, the Parties stipulate that all deadlines and/or requirements applicable to the	
26	City's Motion pursuant to the Federal Rules of Civil Procedure or Local Rules shall run from the	
27	new hearing date;	
28	/// 10-25-2016 Stipulation to Continue COD Motion to Compel and for Sanctions.1 00012904.1 STIPULATION TO CONTINUE THE CITY OF DAVIS'S MOTION TO COMPEL/SANCTIONS; [PROPOSED] ORDER	

1	NOW THEREFORE, the Parties hereby stipulate to the recitals set forth directly		
2	above.		
3			
4	Dated: October 25, 2016	Respectfully submitted,	
5		KING WILLIAMS LLP	
6			
7		By: /s/ Jennifer Hartman King	
8 9		Jennifer Hartman King Attorneys for Defendant CITY OF DAVIS	
10	Dated: October 25, 2016	Respectfully submitted,	
11		KOELLER, NEBEKER, CARLSON & HALUCK, LLP	
12			
13 14		By: <u>/s/ Peter W. Dye</u>	
14		Peter W. Dye Attorneys for THE DAVIS CENTER LLC; EMILY STOVER,	
16		Individually, and as Trustee of the STOVER FAMILY TRUST and as	
17		Personal Representative for Melvin	
18		Stover (Deceased); and RICHARD ALBERT STINCHFIELD,	
19		Individually and as Trustee of the ROBERT S. STINCHFIELD	
20		SEPARATE REAL PROPERTY TRUST and as Trustee of the BARBARA ELLEN STINCHFIELD	
21		TESTAMENTARY TRUST	
22	[PROPOSED]	ORDER	
23	Pursuant to the foregoing Stipulation,		
24	IT IS SO ORDERED.		
25			
26	Dated: October 26, 2016	allison Clane	
27		UNITED STATES MAGISTRATE JUDGE	
28	10-25-2016 Stipulation to Continue COD Motion to -2- Compel and for Sanctions.1 00012904.1		
	Compet and for Sanctions.1 00012904.1 STIPULATION TO CONTINUE THE CITY OF DAVIS'S MOTION TO COMPEL/SANCTIONS; [PROPOSED] ORDER		