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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TRAVELERS CASUALTY AND SURETY)	
COMPANY OF AMERICA,)	2:08-CV-00369-GEB-EFB
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
RBC CENTURA BANK,)	
)	
Defendant.)	
_____)	

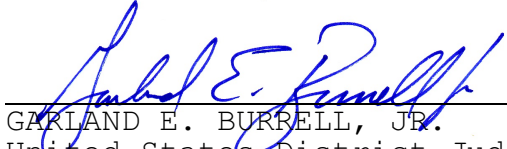
On January 16, 2009, parties filed a stipulation and proposed order in which they seek to vacate the scheduling order in this action, or alternatively to continue all scheduling dates. On September 23, 2008, parties requested and were granted, a later date for expert witness disclosure. Now the parties indicate a bankruptcy proceeding, which commenced in April 2008 (which is before the May 2008 scheduling order issued), has interfered with the litigation of this action. However, the parties fail to explain why the bankruptcy proceeding was not mentioned earlier during the pendency of this action.

/ / /

1 The parties' stipulation fails to show good cause
2 justifies amending the scheduling order. Nevertheless, the
3 scheduling order will be modified in a manner that does not affect
4 the judge's trial docket. Therefore, the final pretrial conference
5 is rescheduled to commence at 2:30 p.m. on August 17, 2009;
6 discovery shall be completed by June 17, 2009; and expert witness
7 disclosures shall be filed on or before April 17, 2009.

8 IT IS SO ORDERED.

9 Dated: February 3, 2009

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13 GARLAND E. BURRELL, JR.
14 United States District Judge
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