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**UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 SACRAMENTO DIVISION**

18 UNITED STATES OF AMERICA, and
 19 CALIFORNIA DEPARTMENT OF TOXIC
 20 SUBSTANCES CONTROL,

Plaintiffs,

vs.

22 STERLING CENTRECORP INC., STEPHEN P.
 23 ELDER, and ELDER DEVELOPMENT, INC.,

Defendants.

Case No. 2:08-cv-02556- MCE-CKD

**STIPULATION AND ORDER EXTENDING
 THE DATE FOR THE CLOSE OF EXPERT
 DISCOVERY (PHASE II)**

Trial Date: July 18, 2016
 Judge: Hon. Morrison C. England, Jr.

[Complaint Filed: October 27, 2008]

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1 **STIPULATION EXTENDING THE DATE FOR THE CLOSE OF EXPERT DISCOVERY**

2 WHEREAS, on August 19, 2015, the Court entered the Stipulation and Order Extending
3 Time for Designation of Experts and Exchange of Expert Reports, and Hearing Date for Dispositive
4 Motions (Phase II) (ECF No. 241) extending to December 4, 2015, the close of expert discovery,
5 and;

6 WHEREAS, on October 2, 2015, Defendant Sterling Centrecorp, Inc. (“Sterling”) made its
7 designation of experts and produced its expert reports, with one of its experts being Dr. Shelley
8 Bookspan; and

9 WHEREAS, counsel for the Plaintiff-Counterclaim Defendant United States of America (the
10 “United States”) requested to take the deposition of Dr. Bookspan prior to the November 13, 2015,
11 date for the designation of supplemental experts; and

12 WHEREAS, given Dr. Bookspan’s work and vacation schedule, the deposition was
13 scheduled for November 18, 2015, at Sterling’s counsel’s office in San Francisco; and

14 WHEREAS, on November 17, 2015, Dr. Bookspan stated that she was ill and could not
15 travel to San Francisco for the deposition; and

16 WHEREAS, given the professional and personal schedules of counsel for Sterling and the
17 United States, as well as the intervention of the Thanksgiving Day holiday, the parties and Dr.
18 Bookspan agreed that they could be available for the deposition on December 10, 2015, in San
19 Francisco, in the event that the Court permitted a short extension of the expert discovery deadline for
20 this purpose; and

21 WHEREAS, the Parties believe that it is reasonable to extend the expert discovery deadline
22 by one week to accommodate counsel and the witness for the deposition and that there would be no
23 need for a corresponding extension of any other deadlines in the case, including the April 14, 2016,
24 date for hearing dispositive motions; and

25 WHEREAS, the Parties are unaware of any prejudice that would be suffered by any party
26 based on the relief requested herein.

1 NOW THEREFORE, the United States and Sterling hereby jointly stipulate and respectfully
2 request that Court extend the deadline for the close of expert discovery by one week, to December
3 11, 2015, for the purpose of allowing the deposition of Dr. Shelley Bookspan.

4 SO STIPULATED.

5
6 *Counsel for Defendant Sterling Centrecorp, Inc. and Department of Toxic Substances*
7 *Control have authorized Plaintiff-Counterclaim Defendant United States of America to file this*
8 *Stipulation on behalf of these Parties; the United States will retain documents evidencing this*
9 *authorization.*

10 **For Plaintiff-Counterclaim Defendant United States of America**

11 November 19, 2015

12 /s/ Paul Cirino
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22 **For Plaintiff Department of Toxic Substances Control**

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27 November 19, 2015

28 /s/ Timothy E. Sullivan
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For Defendant Sterling Centrecorp, Inc.

November 19, 2015

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ORDER

In view of this Stipulation, the Court finds that good cause exists for issuance of an Order extending the date for the close of expert discovery by one week. Expert discovery in this case shall close on December 11, 2015. All other dates established in this case remain unchanged.

IT IS SO ORDERED.

Dated: November 20, 2015



MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT