

1 EMMETT C. STANTON (CSB No. 83930)
estanton@fenwick.com
2 YIXIN ZHANG (CSB No. 270527)
yzhang@fenwick.com
3 GEOFFREY R. MILLER (CSB No. 308676)
gmiller@fenwick.com
4 WILLIAM L. PIEROG (CSB No. 288431)
wpierog@fenwick.com
5 FENWICK & WEST LLP
Silicon Valley Center
6 801 California Street
Mountain View, CA 94041
7 Telephone: 650.988.8500
Facsimile: 650.938.5200
8

9 EMAN SOJODI (CSB No. 261293)
esojodi@fenwick.com
FENWICK & WEST LLP
10 555 California Street, 12th Floor
San Francisco, CA 94104
11 Telephone: 415.875.2300
Facsimile: 415.281.1350
12

EWA M. DAVISON (WSBA No. 39524)
13 edavison@fenwick.com
FENWICK & WEST LLP
14 1191 Second Avenue, 10th Floor
Seattle, WA 98101
15 Telephone: 206.389.4510
Facsimile: 206.389.4511
16

Attorneys for TAI HUYNH
17

18 UNITED STATES DISTRICT COURT
19 FOR THE EASTERN DISTRICT OF CALIFORNIA
20

21 TAI HUYNH,
22
Plaintiff,
23
v.
24 SUSAN HUBBARD, et al.,
25
Defendants.
26

Case No.: 2:09-cv-1979 MCE CKD P

**STIPULATION AND
[PROPOSED] ORDER FOR
MODIFYING AMENDED
DISCOVERY AND
SCHEDULING ORDER**

1 Plaintiff Tai Huynh and Defendants Westin, Smith, Nelson and Callison, by and through
2 their respective counsel of record, pursuant to L.R. 143 and 144, hereby stipulate as follows:

3 **WHEREAS**, the parties have been engaged in settlement discussions and strongly believe
4 the Court ordered and supervised settlement conference will be of great benefit in this matter.

5 **WHEREAS**, on April 13, 2017 the Court issued an order setting a settlement conference
6 to take place on November 30, 2017 before Magistrate Judge Edmund F. Brennan.

7 **WHEREAS**, the parties wish to defer discovery pending completion of the settlement
8 conference in order to save time and costs in the event settlement is achieved.

9 **WHEREAS**, the parties sought to obtain an early settlement conference in October but
10 were unable to secure a date in which both parties were available prior to November 30, 2017.

11 **WHEREAS**, the current deadline to complete discovery is January 8, 2018 and the
12 deadline to file all pretrial motions, except motion to compel discovery, is April 9, 2018.

13 **WHEREAS**, the parties have not previously sought or obtained extensions as to the
14 particular matters for which this extension is sought.

15 **NOW THEREFORE, IT IS HEREBY STIPULATED**, by and between the parties, and
16 subject to the Court's approval, in light of the upcoming settlement conference and the parties'
17 desire to defer discovery until after completion of the settlement conference, that the parties agree
18 to extend all dates contained in the Court's September 8, 2017 Amended Discovery and
19 Scheduling Order (Dkt. No. 85) by 60 days.

20 The agreed upon extended deadlines are as follows:

- 21 ▪ The parties may conduct discovery until March 9, 2018. Any motions necessary to compel
22 discovery shall be filed by that date. All requests for discovery pursuant to Fed. R. Civ. P.
23 31, 33, 34 or 36 shall be served not later than sixty days prior to that date.
- 24 ▪ All pretrial motions, except motions to compel discovery, shall be filed on or before June
25 8, 2018.

26
27
28

1 The parties respectfully request that the Court adopt the parties' agreed schedule as set
2 forth in this Stipulation for Modifying the Amended Discovery and Scheduling Order.

3 Dated: September 19, 2017 FENWICK & WEST LLP

4
5 By: /s/ Geoffrey R. Miller
6 Eman Sojoodi (CSB No. 261293)
7 esojoodi@fenwick.com
8 Ewa M. Davison (WSBA No. 39524) (admitted
9 pro hac vice)
10 edavison@fenwick.com
11 Geoffrey R. Miller (CSB No. 308676)
12 gmiller@fenwick.com

13 Attorneys for Plaintiff TAI HUYNH

14 Dated: September 19, 2017 XAVIER BECERRA
15 Attorney General of California

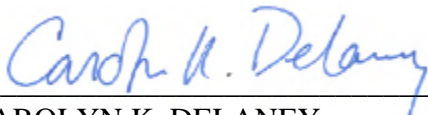
16 By: /s/ Joseph R. Wheeler
17 JOSEPH R. WHEELER
18 Deputy Attorney General

19 Attorneys for Defendants
20 W. WESTIN, J. SMITH, D. NELSON and
21 E. CALLISON

22 **ORDER**

23 Pursuant to the foregoing stipulation, the above dates are hereby approved.

24 Dated: September 22, 2017

25 
26 CAROLYN K. DELANEY
27 UNITED STATES MAGISTRATE JUDGE

28 Huyn1979.eot