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 LINDA K. DESROSIERS
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14 UNITED STATES DISTRICT COURT
 15 EASTERN DISTRICT OF CALIFORNIA
 16

17 LINDA K. DESROSIERS,
 18 Plaintiff,
 19 v.
 20 THE HARTFORD aka HARTFORD FIRE INS.
 CO., HARTFORD FINANCIAL SERVICES
 21 GROUP, INC., and DOES 1 through 20,
 inclusive,
 22 Defendants.
 23

Case No. 2:09-cv-02057-MCE-GGH

**STIPULATION AND JOINT
 APPLICATION TO EXTEND
 DISCOVERY CUT-OFF AND MOTION
 HEARING DEADLINE;**

ORDER THEREON

Complaint Filed: January 26, 2009
 Trial Date: August 13, 2012

24 Pursuant to Federal Rule of Civil Procedure 16(b)(4), and for good cause shown, Plaintiff
 25 Linda K. Desrosiers (“Plaintiff”) and Defendants THE HARTFORD aka HARTFORD FIRE INS.
 26 CO. and HARTFORD FINANCIAL SERVICES GROUP, INC. (collectively hereinafter
 27 “Defendants”), through their respective counsel of record, hereby stipulate and jointly request that
 28 the Court vacate the present discovery cut-off date of October 7, 2011, related discovery deadlines

1 in paragraph IV of this Court's Status (Pretrial Scheduling Order) dated November 30, 2009, and
2 the deadline for hearing dispositive motions, and that the Court further continue such dates by
3 approximately 60-90 days to allow for mediation as set forth below. **The requested continuances**
4 **will have no impact on the final pre-trial conference and trial dates in paragraphs VII and**
5 **VIII of the Pretrial Scheduling Order.**

6 THE PARTIES HEREBY STIPULATE AS FOLLOWS:

7 WHEREAS the parties initially agreed to defer discovery due to Plaintiff's counsel's
8 impacted trial schedule, and counsel for the Parties have since diligently engaged in discovery in a
9 cooperative manner. To date, the parties have exchanged written discovery and over 1,000 pages
10 of documentary evidence and have taken five depositions of key witnesses, including a full day of
11 Plaintiff's deposition. Due to the complex legal and factual nature of the case, counsel for the
12 parties have agreed that Defendant may depose Plaintiff for up to an additional 3.5 hours beyond
13 the 7 hour limit in Federal Rule of Civil Procedure 30(d). The parties have stipulated to participate
14 in private mediation, but must schedule the mediation around Plaintiff's counsel's trial schedule,
15 which includes 4-week trial scheduled to begin September 19, 2011. Consequently, the parties
16 agree that, in the interest of increasingly the likelihood of successful mediation, further discovery,
17 including completing the depositions of Plaintiff and her treating physicians, should be deferred
18 until after mediation. Consequently, good cause exists for continuing the discovery deadlines set
19 forth in the Orders as follows:

- 20 (1) The deadline of October 7, 2011 to complete all non-expert discovery shall be
21 vacated and continued to January 7, 2012.
- 22 (2) The deadline of December 7, 2011 to disclose experts and produce reports in
23 accordance with Federal Rule of Civil Procedure 26(a)(2) shall be vacated and
24 continued to February 7, 2012;
- 25 (3) The deadline of December 27, 2011 to disclose experts and produce reports for
26 expert testimony intended solely for rebuttal in accordance with Federal Rule of
27 Civil Procedure 26(a)(2) shall be vacated and continued March 7, 2012; and
28

1 (4) The deadline of February 7, 2012 to have dispositive motions heard shall be
2 vacated and continued to April 10, 2012.

3 IT IS SO STIPULATED.

4 Dated: September 15, 2011 JACKSON LEWIS LLP

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6 By: /s/ Jerry J. Deschler, Jr.
7 ROBERT J. SCHNACK
8 JERRY J. DESCHLER, JR.
9 Attorneys for Defendants
10 THE HARTFORD aka HARTFORD FIRE INS. CO. and
11 HARTFORD FINANCIAL SERVICES GROUP, INC.

12
13 Dated: September 16, 2011 CHRISTOPHER H. WHELAN, INC.

14 By: /s/ Christopher H. Whelan
15 CHRISTOPHER H. WHELAN
16 Attorneys for Plaintiff
17 LINDA K. DESROSIERS

18 Having reviewed the parties' stipulation, and good cause appearing therefore,

19 IT IS HEREBY ORDERED:

20 (1) The deadline of October 7, 2011 to complete all non-expert discovery shall be
21 vacated and continued to January 7, 2012.

22 (2) The deadline of December 7, 2011 to disclose experts and produce reports in
23 accordance with Federal Rule of Civil Procedure 26(a)(2) shall be vacated and
24 continued to February 7, 2012;

25 (3) The deadline of December 27, 2011 to disclose experts and produce reports for
26 expert testimony intended solely for rebuttal in accordance with Federal Rule of
27 Civil Procedure 26(a)(2) shall be vacated and continued March 7, 2012; and


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(4) The deadline of February 7, 2012 to have dispositive motions heard shall be vacated and continued to April 10, 2012.

Dated: September 22, 2011



MORRISON C. ENGLAND, JR
UNITED STATES DISTRICT JUDGE