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 LINDA K. DESROSIERS
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14 UNITED STATES DISTRICT COURT
 15 EASTERN DISTRICT OF CALIFORNIA
 16 SACRAMENTO DIVISION
 17

18 LINDA K. DESROSIERS,

19 Plaintiff,

20 v.

21 THE HARTFORD aka HARTFORD FIRE INS.
 CO., HARTFORD FINANCIAL SERVICES
 22 GROUP, INC., and DOES 1 through 20,
 inclusive,

23 Defendants.
 24

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: January 22, 2013

25 Pursuant to Federal Rule of Civil Procedure 16(b)(4), and for good cause shown, Plaintiff
 26 Linda K. Desrosiers (“Plaintiff”) and Defendants THE HARTFORD aka HARTFORD FIRE INS.
 27 CO. and HARTFORD FINANCIAL SERVICES GROUP, INC. (collectively hereinafter
 28 “Defendants”), through their respective counsel of record, hereby stipulate and jointly request that

1 the Court vacate the present discovery cut-off date of April 7, 2012, deadline to disclose expert
2 witnesses of May 7, 2012, deadline to disclosure rebuttal experts of June 7, 2012, and deadline for
3 hearing dispositive motions of July 10, 2012, and that the Court further continue such dates by
4 approximately 30 days as set forth below. **The requested continuances will have no impact on**
5 **the final pre-trial conference and trial dates in the Court's Order Continuing Trial, dated**
6 **October 27, 2011 (which modified paragraphs VII and VIII of the Pretrial Scheduling**
7 **Order).**

8 THE PARTIES HEREBY STIPULATE AS FOLLOWS:

9 WHEREAS this matter is set for trial January 22, 2013.

10 WHEREAS the parties initially agreed to defer discovery due to Plaintiff's counsel's
11 impacted trial schedule, and counsel for the Parties have since diligently engaged in discovery in a
12 cooperative manner. To date, the parties have exchanged written discovery and over 1,000 pages
13 of documentary evidence and have taken five depositions of key witnesses, including a full day of
14 Plaintiff's deposition. Due to the complex legal and factual nature of the case, counsel for the
15 parties have agreed that Defendant may depose Plaintiff for up to an additional 3.5 hours beyond
16 the 7 hour limit in Federal Rule of Civil Procedure 30(d). The parties have stipulated to participate
17 in private mediation, but must schedule the mediation around Plaintiff's counsel's trial schedule,
18 which included 4-week trial in late 2011.

19 WHEREAS the Court entered an order continuing the discovery and dispositive motions
20 on September 23, 2011 (doc. no. 11). Subsequently, on October 27, 2011, the Court *sua sponte*
21 issued an Order Continuing Trial vacating prior dates in paragraphs VII and VIII of the Pretrial
22 Scheduling Order and continuing the Final Pretrial Conference to November 29, 2012 and the trial
23 date to November 15, 2012.

24 WHEREAS the parties secured a mutually-agreeable mediation date of January 31, 2012
25 and attempted to mediate the case, but were ultimately unsuccessful. Since mediation, the parties
26 have communicated in good faith to formulate a mutually-agreeable discovery plan to complete all
27 anticipated remaining discovery, but have had to schedule such remaining discovery after the

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1 existing discovery cutoff due to counsel's full trial and litigation schedule and a planned vacation
2 out of the country.

3 Consequently, good cause exists for continuing the discovery deadlines set forth in the
4 Orders as follows:

- 5 (1) The deadline of April 7, 2012 to complete all non-expert discovery shall be vacated
6 and continued to May 25, 2012.
- 7 (2) The deadline of May 7, 2012 to disclose experts and produce reports in accordance
8 with Federal Rule of Civil Procedure 26(a)(2) shall be vacated and continued to
9 June 13, 2012;
- 10 (3) The deadline of June 7, 2012 to disclose experts and produce reports for expert
11 testimony intended solely for rebuttal in accordance with Federal Rule of Civil
12 Procedure 26(a)(2) shall be vacated and continued to July 13, 2012; and
- 13 (4) The deadline of July 10, 2012 to have dispositive motions heard shall be vacated
14 and continued to August 14, 2012.

15 IT IS SO STIPULATED.

16 Dated: March 14, 2012

JACKSON LEWIS LLP

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18 By: /s/ Jerry J. Deschler Jr.
19 ROBERT J. SCHNACK
JERRY J. DESCHLER, JR.

20 Attorneys for Defendants
21 THE HARTFORD aka HARTFORD FIRE INS. CO. and
HARTFORD FINANCIAL SERVICES GROUP, INC.

22
23 Dated: March 12, 2012

CHRISTOPHER H. WHELAN, INC.

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25 By: /s/ Christopher H. Whelan
26 CHRISTOPHER H. WHELAN

27 Attorneys for Plaintiff
LINDA K. DESROSIERS


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

IT IS HEREBY ORDERED:

- (1) The deadline of April 7, 2012 to complete all non-expert discovery shall be vacated and continued to May 25, 2012.
- (2) The deadline of May 7, 2012 to disclose experts and produce reports in accordance with Federal Rule of Civil Procedure 26(a)(2) shall be vacated and continued to June 13, 2012;
- (3) The deadline of June 7, 2012 to disclose experts and produce reports for expert testimony intended solely for rebuttal in accordance with Federal Rule of Civil Procedure 26(a)(2) shall be vacated and continued to July 13, 2012; and
- (4) The deadline of July 10, 2012 to have dispositive motions heard shall be vacated and continued to August 14, 2012.

Dated: March 16, 2012


MORRISON C. ENGLAND, JR
UNITED STATES DISTRICT JUDGE