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11 Attorneys for Plaintiff  
 12 ATPAC, INC., a California Corporation

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 14 UNITED STATES DISTRICT COURT  
 15 EASTERN DISTRICT OF CALIFORNIA  
 16

18 ATPAC, INC.,	)	No. 2:10-CV-00294-WBS-JFM
	)	
19 Plaintiff,	)	<u>STIPULATION AND [PROPOSED]</u>
	)	<u>ORDER REQUESTING STATUS</u>
20 vs.	)	<u>CONFERENCE SOLELY TO MODIFY</u>
	)	<u>EXPERT DISCLOSURE DEADLINES</u>
21 APTITUDE SOLUTIONS, INC., et al.,	)	
	)	Date: June 13, 2011
22 Defendants.	)	Time: 2:00 p.m.
	)	Room: 5, 14 <sup>th</sup> Floor
23	)	Judge: Hon. William B. Shubb

24 This Stipulation for an order requesting status conference solely to modify expert  
 25 disclosure deadlines (“Stipulation”) is entered into by and between Defendants APTITUDE  
 26 SOLUTIONS, INC., COUNTY OF NEVADA and GREGORY DIAZ (collectively,  
 27 “Defendants”), on the one hand, and Plaintiff ATPAC, INC.’s (“AtPac”), on the other hand  
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1 solely for the purpose of extending the expert disclosure deadlines. The parties are  
2 sometimes individually referred to herein as “Party” and collectively referred to as “the  
3 Parties.”

4 WHEREAS, on May 2 and May 5, 2011, Pillsbury Winthrop Shaw Pittman LLP  
5 substituted in as counsel for Defendants; and

6 WHEREAS, the Parties have agreed to mediate this case on June 21, 2011 before  
7 the Honorable Read Ambler at JAMS; and

8 WHEREAS, Defendants believe that expert discovery cannot be completed by the  
9 current July 1, 2011 deadline and request that the Federal Rule of Civil Procedure 26(a)(2)  
10 initial report deadline be extended until August 8, 2011 and the date for Rule 26(a)(2)  
11 rebuttal reports, if any, be extended to August 29, 2011; and

12 WHEREAS, Plaintiff does not oppose Defendants’ request:

13 NOW THEREFORE, the Parties agree that a status conference be held on June 13,  
14 2011 at 2:00 p.m. solely for the purpose of extending the expert discovery deadlines as set  
15 forth herein. If the Court is able to enter this order amending the scheduling order without  
16 the need for an appearance, the parties request that the court please do so and advise the  
17 parties that no appearance is necessary.

18 By signing below, counsel for each Party hereby agrees to be bound by the terms of  
19 this Stipulation and acknowledges that he/she is authorized in his/her representative capacity  
20 to bind his/her respective client(s) to the terms of this Stipulation.

21 Dated: June 8, 2011.

22 PILLSBURY WINTHROP SHAW PITTMAN LLP  
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24 MEREDITH E. NIKKEL  
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26 By \_\_\_\_\_ /s/ John S. Poulos  
27 John S. Poulos  
28 Attorneys for Defendants  
APTITUDE SOLUTIONS, INC., COUNTY OF  
NEVADA and GREGORY DIAZ

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Dated: June 8, 2011.

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WILLIAM R. WARNE  
MICHAEL J. THOMAS  
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By \_\_\_\_\_ /s/ Michael J. Thomas  
Michael J. Thomas  
Attorneys for Plaintiff  
ATPAC, INC., a California Corporation

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ORDER

The Parties jointly requested a status conference, and Defendants requested that the expert discovery deadline of July 1, 2011 be extended to August 8, 2011 for initial reports pursuant to Federal Rule of Civil Procedure 26(a)(2) and that the deadline for rebuttal reports be extended to August 29, 2011. Plaintiff does not oppose this request.

IT IS HEREBY ORDERED that:

1. The Federal Rule of Civil Procedure 26(a)(2) deadline is extended to August 8, 2011; and
2. Rebuttal reports, if any, are now due August 29, 2011.
3. **In light of the foregoing order, no status conference on June 13, 2011 is necessary.**

Dated: June 9, 2011



WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE