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12 Attorneys for Defendants  
 13 WORTHINGTON INDUSTRIES, INC., WORTHINGTON  
 14 CYLINDERS WISCONSIN, LLC and WORTHINGTON  
 15 CYLINDER CORPORATION

16 **UNITED STATES DISTRICT COURT**  
 17 **EASTERN DISTRICT OF CALIFORNIA**

18 REGENTS OF THE UNIVERSITY OF  
 19 CALIFORNIA,

20 Plaintiff,

21 v.

22 BERNZOMATIC, an Unincorporated  
 23 Division of IRWIN INDUSTRIAL TOOL  
 24 COMPANY, IRWIN INDUSTRIAL TOOL  
 25 COMPANY, NEWELL RUBBERMAID,  
 26 INC., and W.W. GRAINGER, INC., and  
 27 DOES 1 through 200, inclusive,

28 Defendants.

**Case No.: 2:10-CV-01224-FCD-GGH**

**AMENDED STIPULATION AND  
 ORDER TO EXTEND DEADLINES OF  
 STATUS (PRETRIAL SCHEDULING)  
 ORDER**

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RECITALS

On December 7, 2010, this Court granted Plaintiff’s motion to amend to add new defendants. Pursuant to that order, on March 4, 2011 Plaintiff served Worthington Industries, Inc. (“WII”), Worthington Cylinder Corporation (“WCC”) and Worthington Cylinders Wisconsin, LLC (“WCW”), collectively referred to as “Worthington.” On April 21, 2011, Worthington filed its answer to the first amended complaint.

In the interim, Plaintiff settled with the original defendants who have been dismissed with prejudice.

Because Worthington has just appeared in this case and because the discovery cutoff expired on April 25, 2011, Plaintiffs and Worthington, with the Court’s consent, stipulate to extending discovery and all other deadlines by 180 days.

Now, therefore, Plaintiff and Worthington, by and through their respective counsel of record, stipulate and agree as follows:

STIPULATION

IT IS HEREBY STIPULATED by all parties, and by and between their respective attorneys of record that:

1. All discovery shall be completed by October 25, 2011, within Section IV of this Court’s Status (Pretrial Scheduling) Order filed July 20, 2010 (“Status Order”).
2. The designation of expert witnesses set forth in Section V of this Court’s Status Order shall occur no later than November 9, 2011.
3. The submission of a supplemental list of expert witnesses set forth in Section V of this Court’s Status Order shall occur no later than November 30, 2011.
4. All expert discovery under Section V of this Court’s Status Order shall be completed by December 30, 2011.
5. All dispositive motions, except motions for continuances, temporary restraining orders or other emergency applications, as set forth in Section VI of the Court’s Status Order shall be heard no later than February 10, 2012.

1           6.     The Final Pretrial Conference is set for April 13, 2012, at 1:30 p.m., and  
2 shall be conducted as set forth in Section VII of the Court's Status Order.

3           7.     The trial is set for June 12, 2012, at 9:00 a.m. as set forth in Section VIII of  
4 the Court's Status Order.

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6 Dated: May 5, 2011

BOWLES & VERNA LLP

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9 By:           /s/ Richard A. Ergo          

10 RICHARD A. ERGO  
11 CATHLEEN S. HUANG  
12 WILLIAM T. NAGLE  
13 Attorneys for Defendants  
14 WORTHINGTON INDUSTRIES,  
15 INC., WORTHINGTON CYLINDERS  
16 WISCONSIN, LLC and  
17 WORTHINGTON CYLINDER  
18 CORPORATION

19 Dated: May 5, 2011

HOWARD ROME MARTIN & RIDLEY  
LLP

20 By:           /s/ Brian A. Fiorino          

21 HENRY D. ROME  
22 SHAWN M. RIDLEY  
23 BRIAN A. FIORINO  
24 Attorneys for Plaintiff  
25 THE REGENTS OF THE  
26 UNIVERSITY OF CALIFORNIA

27 **IT IS SO ORDERED.**

28 Dated: May 5, 2011



FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE