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15 UNITED STATES DISTRICT COURT
 16 EASTERN DISTRICT OF CALIFORNIA

18 NEW GAMING SYSTEMS, INC.,)	Case No. 2:11-cv-627-MCE-JFM
)	
19 Plaintiff,)	
)	
20 v.)	STIPULATION AND JOINT REQUEST
)	TO MODIFY PRETRIAL SCHEDULING
21 UNITED STATES OF AMERICA,)	ORDER; ORDER
)	
22 Defendant.)	
)	

23
 24 Plaintiff New Gaming Systems, Inc. (“Plaintiff”) and defendant United States of America
 25 (“Defendant”) hereby stipulate and submit the following joint request to modify the Pretrial
 26 Scheduling Order of September 8, 2011.

27 ///
 28 ///

1 **RECITALS**

2 WHEREAS, on September 8, 2011, the Court issued its Pretrial Scheduling Order which
3 provided that discovery shall close on August 3, 2012; and

4 WHEREAS, on June 20, 2012, Defendant propounded its Second Set of Requests for
5 Production of Documents to Plaintiff; and

6 WHEREAS, Plaintiff is in the process of moving its offices, and suspects that the final move-
7 in date may be approximately September 2012; and

8 WHEREAS, because of construction delay and the inability to occupy the new space, much
9 of Plaintiff's files are temporarily in storage; and

10 WHEREAS, Plaintiff anticipates that it will not be able to complete its search for documents
11 responsive to Defendant's Second Set of Requests for Production of Documents until October 1,
12 2012; and

13 WHEREAS, Defendant has granted Plaintiff an extension of time to respond to Defendant's
14 Second Set of Requests for Production of Documents to August 3, 2012, the discovery cutoff
15 deadline; and

16 WHEREAS, in order to extend Plaintiff's response date to October 1, 2012, as requested, the
17 parties believe that a modification to the Pretrial Scheduling Order to continue the discovery
18 deadline by 60 days would be necessary;

19 **STIPULATION**

20 NOW, THEREFORE, it is hereby stipulated by and between Plaintiff and Defendant as
21 follows:

22 The Pretrial Scheduling Order dated September 8, 2011, shall be modified to extend the
23 discovery cutoff by 60-days, from August 3, 2012, to October 3, 2012. Expert Witness Disclosures
24 shall be moved to Monday, December 3, 2012.

25 Further, the dispositive motions deadline shall be moved from February 7, 2013, to
26 Thursday, April 4, 2013.

27 The parties request that the court reschedule the final pretrial conference from Thursday,
28 April 4, 2013 at 2:00pm, to some time sixty days out that is convenient for the Court, perhaps

1 Tuesday, June 6, 2013 at 2:00pm. The Joint Final Pretrial Conference Statement, set for three weeks
2 before the Final Pretrial Conference, be set for Thursday, May 16, 2013. Trial Briefs shall be due
3 May 16, with oppositions due May 23 and the reply due May 30, 2013. The parties request a trial
4 date in August 2013.

5
6 DATED: August 1, 2012

Respectfully submitted,

BOUTIN JONES INC.

7
8 By: /s/ Robert R. Rubin
9 ROBERT R. RUBIN

Attorneys for Plaintiff New Gaming Systems, Inc.

10 DATED: August 1, 2012

11 KATHRYN M. KENEALLY
12 Assistant Attorney General

13
14 By: /s/ Colin S. Sampson approved 8/1/12
15 COLIN C. SAMPSON


Attorneys for the United States of America

16 **ORDER**

17 Upon reviewing the parties' Stipulation and Joint Request to Modify Pretrial Scheduling
18 Order, and good cause appearing therefore, that request is hereby GRANTED. An Amended Pretrial
19 Scheduling Order will follow.

20 IT IS SO ORDERED.

21 Dated: August 6, 2012

22 
23 MORRISON C. ENGLAND, JR.
24 UNITED STATES DISTRICT JUDGE