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 8 IN THE UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

11 KRISTINE LEVITOFF,

12 Plaintiff,

13 v.

14 THOMAS J. VILSACK, Secretary, U.S.
 Department of Agriculture,
 15

16 Defendant.

Case No. 2:11-cv-01149 JAM AC

**STIPULATION REQUESTING
 MODIFICATION OF SCHEDULING
 ORDER**

17 Defendant Thomas J. Vilsack, Secretary of the United States Department of Agriculture, and
 18 plaintiff Kristine Levitoff, by and through their undersigned counsel, hereby stipulate and agree as
 19 follows:

20 1. On February 13, 2012, the Court entered its Status (Pretrial Scheduling) Order for
 21 the case. Docket 14.

22 2. The scheduling order set the following discovery and motion deadlines:

23	Plaintiff's Expert Witness Disclosure	January 18, 2013
24	Defendant's Expert Witness Disclosure	February 15, 2013
25	Supplemental/Rebuttal Expert Witnesses	March 5, 2013
26	Joint Mid-Litigation Statement	April 5, 2013
27	Discovery Cutoff	April 19, 2013
28	Dispositive Motions (filed by)	June 5, 2013
	Dispositive Motions (heard by)	July 10, 2013
	Joint Pretrial Conference Statement	September 6, 2013
	Final Pretrial Conference	September 13, 2013
	Trial Briefs	October 7, 2013
	Trial	October 21, 2013

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1 3. For a number of months, the parties have been engaged in settlement negotiations in an
2 attempt to resolve this case. At this time, the parties wish to attempt to reach a settlement by attending a
3 private mediation. Given counsels' work schedules and their upcoming holiday and vacation schedules,
4 the parties will attempt to schedule private mediation to occur in late January 2013.

5 4. Because plaintiff's expert witness disclosure deadline is in mid-January, with other
6 dates following thereafter, the parties believe that good cause exists for the Court to modify its
7 scheduling order to accommodate the parties' interest in participating in private mediation. The
8 parties would prefer not to have to incur the substantial time and expense associated with expert and
9 non-expert discovery at this time if it is possible that the case may resolve at mediation.

10 5. Accordingly, the parties agree to request that the Court modify the scheduling
11 order as follows:

	<u>Old Date</u>	<u>New Date</u>
Plaintiff's Expert Witness Disclosure	January 18, 2013	March 1, 2013
Defendant's Expert Witness Disclosure	February 15, 2013	March 29, 2013
Supplemental/Rebuttal Expert Witnesses	March 5, 2013	April 12, 2013
Joint Mid-Litigation Statement	April 5, 2013	April 26, 2013
Discovery Cutoff	April 19, 2013	May 15, 2013
Dispositive Motions (filed by)	June 5, 2013	
Dispositive Motions (heard by)	July 10, 2013	
Joint Pretrial Conference Statement	September 6, 2013	
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