

1 SEDGWICK LLP
 Robert M. Harkins, Jr. (State Bar No. 179525)
 2 Matthew A. Fischer (State Bar No. 191451)
 Jennifer Ming (State Bar No. 260367)
 3 333 Bush Street, 30th Floor
 San Francisco, CA 94104-2834
 Telephone: 415.781.7900
 4 Facsimile: 415.781.2635

5 Attorneys for Defendants and Counterclaimants
 6 X-BODY EQUIPMENT, INC. and JEWELL
 ATTACHMENTS, LLC

GIBSON, DUNN & CRUTCHER LLP
 Wayne Barsky, SBN 116731
 wbarsky@gibsondunn.com
 2029 Century Park East
 Century City, CA 90067-3026
 Telephone: 310.552.8500
 Facsimile: 310.551.8741

Jennifer Rho, SBN 254312
 jrho@gibsondunn.com
 333 South Grand Avenue
 Los Angeles, CA 90071-3197
 Telephone: 213.229.7000
 Facsimile: 213.229.7520

Casey J. McCracken, SBN 271202
 cmccracken@gibsondunn.com
 3161 Michelson Drive
 Irvine, CA 92612
 Telephone: 949.451.3800
 Facsimile: 949.451.4220

Attorneys for Plaintiff
 ADVANCED STEEL RECOVERY, LLC

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

15 ADVANCED STEEL RECOVERY, LLC,
 16
 Plaintiff,
 17
 v.
 18 X-BODY EQUIPMENT, INC.
 19 and JEWELL ATTACHMENTS, LLC,
 20
 Defendants.
 21
 22 AND RELATED COUNTERCLAIMS

Case No. 2:12-cv-01004-GEB-DAD
JOINT STIPULATION AND STAY
MOTION TO STAY, AND ORDER
AMENDING STATUS ORDER

Sedgwick^{LLP}

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JOINT STIPULATION AND MOTION TO STAY

WHEREAS, on October 23, 2013, the Court issued a Status (Pretrial Scheduling) Order (“Order”) setting various case deadlines;

WHEREAS, pursuant to that Order, fact discovery is to be completed by July 27, 2014, initial expert witness disclosures are due on or before March 28, 2014, and any contradictory and/or rebuttal expert disclosures are due on or before April 28, 2014;

WHEREAS, subsequent to the entry of that Order, the parties have been engaging in meaningful settlement discussions and require a stay and extension of case deadlines to facilitate further settlement discussions and potential resolution of the case;

WHEREAS, this is the first such request for a stay and extension regarding the calendared dates impacted by this Joint Stipulation and Motion; and

WHEREAS, the parties believe this requested stay may be granted without impacting the trial date set in the case to take place on March 31, 2015;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, SUBJECT TO THE APPROVAL OF THE COURT:

1. The case is hereby stayed in all respects, including discovery and all other currently calendared dates, for a period of 120 days.
2. The parties will notify the Court if a settlement is reached. If the parties do not reach settlement, they will so notify the Court and request a new case schedule setting new deadlines. Should the parties require additional time to complete their negotiations at the end of the 120 days and finalize a settlement agreement, the parties will jointly request that the stay be extended.

///
///
///
///

1 DATED: January 23, 2014

SEDGWICK LLP

2 By: /s/ Robert Harkins
3 Robert Harkins

4 Attorneys for Defendants and Counterclaimants
5 X-BODY EQUIPMENT, INC. and JEWELL
ATTACHMENTS, LLC

6 DATED: January 23, 2014

GIBSON, DUNN & CRUTCHER LLP

7 By: /s/ Casey J. McCracken (as authorized on
8 January 23, 2014)
Casey J. McCracken

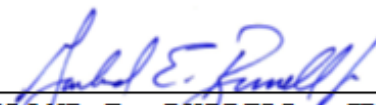
9 Attorneys for Plaintiffs and Counterclaim-Defendant
10 ADVANCED STEEL RECOVERY, LLC

11 **Order**

12 In light of the parties' representation that they have been engaging in meaningful
13 settlement discussions and require a stay and extension of case deadlines to facilitate
14 further settlement discussions and potential resolution of the case, rather than staying the
15 action dates in the Scheduling Order filed on October 23, 2013, are changed as follows:

- 16 (1) Non-expert discovery shall be completed by January 15, 2015. Expert discovery
17 shall be completed by February 16, 2015;
- 18 (2) each party shall comply with Federal Rule of Civil Procedure 26(a)(2)(c)(i)'s
19 initial expert witness disclosure requirements on or before August 16, 2014, and any
20 contradictory and/or rebuttal expert disclosure authorized under Rule 26(a)(2)(c)(ii) on or
21 before September 16, 2014;
- 22 (3) the last hearing date for motions is March 16, 2015, commencing 9:00 a.m.;
- 23 (4) the final pretrial conference is rescheduled to commence at 2:30 p.m. on May
24 18, 2015; a joint status report shall be filed fourteen days prior to the hearing; and,
- 25 (5) trial commences at 9:00 a.m. on August 25, 2015.

26 Dated: January 24, 2014

27 
28 _____
GARLAND E. BURRELL, JR.
Senior United States District Judge