

1 DANIEL S. GLASS (SBN 140819)  
 dsglawyer@sbcglobal.net  
 2 Attorney at Law  
 641 Fulton Avenue, Suite 200  
 3 Sacramento, CA 95825  
 Tel: 916.483.1971  
 4 Fax: 916.483.1371

5 Attorney for Plaintiff  
 DONALD HOLLAND

6 STEPHEN M. HAYES (SBN 83583)  
 shayes@hayesscott.com  
 7 DANIEL S. CLARK JR. (SBN 221647)  
 dclark@hayesscott.com

8 **HAYES SCOTT BONINO**  
 9 **ELLINGSON & McLAY, LLP**  
 203 Redwood Shores Parkway, Suite 480  
 10 Redwood City, California 94065  
 Telephone: 650.637.9100  
 11 Facsimile: 650.637.8071

12 Attorneys for Defendant  
 NATIONAL UNION FIRE INSURANCE  
 13 COMPANY OF PITTSBURGH, PA

14 UNITED STATES DISTRICT COURT  
 15 EASTERN DISTRICT OF CALIFORNIA  
 16 (SACRAMENTO DIVISION)

18 DONALD HOLLAND,  
 19 Plaintiff,  
 20 vs.

CASE NO. 2:12-cv-01983-TLN-AC

**STIPULATION AND REQUEST FOR  
 CHANGE IN SCHEDULING ORDER  
 AND ORDER**

22 NATIONAL UNION FIRE INSURANCE  
 COMPANY OF PITTSBURGH, PA,  
 23 Defendant.  
 24

25 On December 20, 2012, this Court entered its Status (Pretrial Scheduling) Order. (Dkt. 15.)  
 26 On June 12, 2013, this Court entered an Amended Pretrial Scheduling Order, which was both  
 27 requested by the parties and in response to the Court's reassignment of this matter to the Honorable  
 28

1 Troy L. Nunley. As a result, the court moved the discovery-cut-off date to September 3, 2013; the  
2 expert-disclosure date to November 4, 2013; the dispositive motion date to March 13, 2014; and the  
3 trial date to July 7, 2014. (Dkt. 22.)

4 At that time the parties, by and through counsel, believed that the increased time and  
5 continued dates would be adequate and appropriate for the parties to fully prepare the matter for its  
6 eventual trial.

7 However, since that time, counsel for both parties have had other court matters reassigned to  
8 new trial dates and have otherwise had calendar conflicts which make it extremely difficult, if not  
9 impossible, to complete all discovery by September 3, 2013. On August 13, 2013, the Court  
10 denied without prejudice the parties request to extend only the discovery and dispositive motion  
11 dates without extending the other pretrial dates. (Dkt. 28.) Therefore, in order for counsel and the  
12 parties to work together to more fully and fairly prepare this matter for its ultimate trial, or potential  
13 resolution,

14 **IT IS HEREBY AGREED AND STIPULATED** by and between Plaintiff Donald Holland  
15 and Defendant National Union Fire Insurance Company of Pittsburg, PA, through their designated  
16 counsel, and subject to approval by the court, that the Court's Pretrial Scheduling Order be  
17 amended as follows:

- 18 1. Discovery cut-off date: December 6, 2013;
- 19 2. Expert Disclosure date: February 7, 2014;
- 20 3. Dispositive Motion cut-off date: June 13, 2014;
- 21 4. Joint Final Pretrial Conference Statement: July 14, 2014;
- 22 5. Final Pretrial Conference: August 14, 2014;
- 23 6. Trial Brief due date: July 24, 2014;
- 24 7. Evidentiary and/or Procedural Motion cut-off date:
  - 25 a. Motion: July 17, 2014;
  - 26 b. Opposition: July 24, 2014; and
  - 27 c. Reply: July 31, 2014;

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

8. Trial: October 6, 2014.

Dated: August 26, 2013

LAW OFFICE OF DANIEL S. GLASS

By /s/ Daniel S. Glass (authorized on 8/26/13)  
DANIEL S. GLASS  
Attorney for Plaintiff  
DONALD HOLLAND

Dated: August 26, 2013

HAYES SCOTT BONINO ELLINGSON & McLAY, LLP

By /s/Daniel S. Clark Jr., Esq.  
STEPHEN M. HAYES  
DANIEL S. CLARK JR.  
Attorneys for Defendant  
NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA

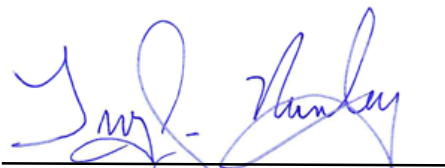
**ORDER**

Based on the aforesaid Stipulation, and good cause appearing to exist,

IT IS SO ORDERED:

1. Discovery cut-off date: December 6, 2013;
2. Expert Disclosure date: February 7, 2014;
3. Dispositive Motion cut-off date: **June 5, 2014;**
4. Joint Final Pretrial Conference Statement: July 14, 2014;
5. Final Pretrial Conference: August 14, 2014, at 2:00 p.m.;
6. Trial Brief due date: July 24, 2014;
7. Evidentiary and/or Procedural Motion cut-off date:
  - a. Motion: July 17, 2014;
  - b. Opposition: July 24, 2014; and
  - c. Reply: July 31, 2014;
8. Trial: October 6, 2014, at 9:00 a.m.

Dated: September 4, 2013

  
Troy L. Nunley  
United States District Judge