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11 and Gregory Trujillo

12 UNITED STATES DISTRICT COURT FOR THE  
13 EASTERN DISTRICT OF CALIFORNIA

14 Pascual Trujillo, Leticia Trujillo, and Gregory  
Trujillo,

15  
16 Plaintiffs,

17 v.

18 Nationwide Insurance Company of America,  
Nationwide Mutual Insurance Company,  
19 Nationwide Sales Solutions, Inc., and DOES 1-  
20 50, Inclusive,

21 Defendants.

CASE NO.: 2:12-CV-02958 MCE CMK

**STIPULATION AND JOINT  
APPLICATION TO CONTINUE  
DISPOSITIVE MOTION HEARING  
DATE FROM OCTOBER 2, 2014 TO  
OCTOBER 30, 2014;**

**ORDER**

JUDGE: Hon. Morrison C. England, Jr.

COMPLAINT FILED: December 7, 2012

TRIAL DATE: February 9, 2015

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24 Plaintiffs Pascual Trujillo, Leticia Trujillo, and Gregory Trujillo, and Defendants  
25 Nationwide Insurance Company of America, and Nationwide Mutual Insurance Company, through  
26 their respective counsel, hereby submit this STIPULATION and JOINT APPLICATION to  
27 Continue the Dispositive Motion Hearing Date from October 2, 2014 To October 30, 2014.

1 The Parties have exchanged Initial Disclosures and written discovery, and have completed  
2 the depositions of critical witnesses. The Parties believe that this case is now at a point where  
3 settlement discussions will be beneficial.

4 Therefore, the Parties have agreed to participate in private mediation at this time. In order  
5 to accommodate summer scheduling conflicts and mediator availability, the Parties have agreed  
6 that the mediation be completed by the end of August.

7 Per Paragraph VI of the Pretrial Scheduling Order, dispositive motions are currently due on  
8 or before August 7, 2014, which is 8 weeks before the October 2nd hearing date.

9 The Parties believe that it will be an inefficient use of time and resources, as well as  
10 counterproductive to the mediation, to prepare dispositive motions simultaneously with settlement  
11 discussions.

12 Based on the foregoing, and the Declaration of Barron L. Weinstein, counsel for Plaintiffs,  
13 filed concurrently herewith, the Parties STIPULATE and respectfully JOINTLY REQUEST that  
14 the Court extend the dispositive motion hearing date 28 days, from October 2, 2014 to October 30,  
15 2014.

16 This extension of four weeks will not interfere with or affect any other dates in the Pretrial  
17 Scheduling Order, including the pretrial conference and trial dates.

18 The briefing schedule set out in Paragraph VI of the Pretrial Scheduling Order will remain  
19 in effect as follows:

20 Dispositive motion filed at least 8 weeks prior to hearing.

21 Opposition and any cross-motion filed at least 5 weeks prior to hearing.

22 Reply and opposition to cross-motion filed at least 3 weeks prior to hearing.

23 Reply to cross-motion filed at least 1 week prior to hearing.

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25 Respectfully Submitted,



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**ORDER**

For good cause shown, it is hereby ordered that Paragraph VI of this Court's Pretrial Scheduling Order, dated August 27, 2013, is amended to extend the dispositive motion hearing date from October 2, 2014 to October 30, 2014.

The briefing schedule set out in Paragraph VI of the Pretrial Scheduling Order will remain in effect as follows:

Dispositive motion filed at least 8 weeks prior to hearing.


Opposition and any cross-motion filed at least 5 weeks prior to hearing.

Reply and opposition to cross-motion filed at least 3 weeks prior to hearing.

Reply to cross-motion filed at least 1 week prior to hearing.

IT IS SO ORDERED.

Dated: July 11, 2014

  
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MORRISON C. ENGLAND, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT