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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

BEST BUY STORES, L.P.,
Plaintiff,
v.
LF2 ROCK CREEK LP,
Defendant.

Case No. 2:13-CV-00433-MCE-AC

**STIPULATION AND ORDER TO EXTEND
FACT AND EXPERT DISCOVERY
DEADLINES IN PRETRIAL SCHEDULING
ORDER**

Complaint Filed: March 5, 2013
Trial Date: July 13, 2015

Plaintiff BEST BUY STORES, L.P., and Defendant LF2 ROCK CREEK LP (collectively, the “Parties”), by and through their respective undersigned counsel and subject to this Court’s approval, hereby stipulate and agree and request the approval of the Court to continue the fact and expert witness disclosure deadlines (currently set for October 10, 2014 and December 11, 2014, respectively) for an additional one and half months as set forth below.

1. December 18, 2014: Fact discovery cut off for the limited purpose of taking the deposition of Best Buy’s Rule 30(b)(6) designee(s) pursuant to the deposition notice already served by Defendant.
2. January 12, 2015: Initial expert witness disclosures.

The Court is requested to approve these extensions on the following bases:

- 1) The Parties both await results from their respective Motions for Summary Judgment, and as a result previously continued the discovery deadline to postpone the depositions of 30(b)(6) and other witnesses in the event that a ruling on the pending motions obviated the need for those

1 depositions. Those depositions have been taken other than the deposition of Best Buy's Rule
2 30(b)(6) designee(s) pursuant to the deposition notice served by Defendant, and scheduling
3 conflicts have arisen (including because of the out-of state travel required to take the
4 deposition(s)) such that there is not a mutually available date on which to complete the
5 30(b)(6) designee's(s') deposition before the current fact discovery cut-off.

- 6 2) Due to scheduled November and December trials of both Parties' counsel and the availability
7 of Best Buy's Vice President of Real Estate Pat Matre, the first available mutually agreeable
8 date for his deposition is December 16, 2014, in Minneapolis, Minnesota.
- 9 3) The requested extensions do not impact any other deadlines set forth in the Court's Pretrial
10 Scheduling Order.
- 11 4) Only one previous extension has been requested by the Parties to the Court.
- 12 5) Trial is not set until July 13, 2015.

13 IT IS HEREBY STIPULATED and the parties request that the following deadlines be extended
14 by approximately two months, with the new deadlines set forth below:

- 15 1. December 18, 2014: Fact discovery cut off for the limited purpose of taking the deposition
16 of Best Buy's Rule 30(b)(6) designee(s) pursuant to the deposition notice already served
17 by Defendant.
- 18 2. January 12, 2015: Initial expert witness disclosures.

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1 DATED: October ____, 2014

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

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3 By: /s/ Michael A. Geibelson
Michael A. Geibelson, Esq.

4 Attorneys for Plaintiff Best Buy Stores, L.P.

5 DATED: October ____, 2014

GREENBERG TRAURIG, LLP

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7 By: /s/ Cindy Hamilton
8 William J. Goines
9 Cindy Hamilton
Alice Y. Chu

10 Attorneys for Defendant LF2 Rock Creek LP

11
12 **ORDER**

13 IT IS SO ORDERED.

14 Dated: October 14, 2014

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