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10
11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**

13 CARL CASPERSON,
14 Plaintiff,
15 vs.

16 THE GOLDEN 1 CREDIT UNION, a
17 California Corporation; KORAF
18 CORPORATION, a California Corporation;
19 DOUGLAS KNUITSEN; PHYLLIS
20 KNUITSEN aka PHYLLIS TOKERUD,
21 Defendants.

22) No. 2:13-cv-00481-JAM-KJN
23)
24) **STIPULATION AND [PROPOSED]**
25) **ORDER TO VACATE DATES IN**
26) **SCHEDULING ORDER AND SET DATE**
27) **FOR STATUS CONFERENCE**

28
STIPULATION AND [PROPOSED] ORDER TO VACATE DATES IN SCHEDULING ORDER AND TO SET NEW DATE FOR STATUS CONFERENCE

1 **WHEREAS**, on October 16, 2013, Tanya E. Moore, counsel of record for plaintiff,
2 Carl Casperson (“Plaintiff”), filed a motion to withdraw as Plaintiff’s attorney of record on
3 the grounds that her client terminated her services and that she could no longer effectively
4 represent him (Dkt. 19);

5 **WHEREAS**, the Court issued a Scheduling Order in this matter on May 15, 2013
6 (Dkt. 15);

7 **WHEREAS**, after the Scheduling Order issued, defendants and Plaintiff, through
8 their counsel, engaged in meaningful settlement negotiations and were cautiously optimistic
9 that a settlement would be reached without the expense of extensive discovery, and thus have
10 not conducted any discovery in this matter other than a site inspection of the subject
11 property;

12 **WHEREAS**, the hearing on Plaintiff’s counsel’s motion to withdraw is set for
13 December 11, 2013, which date is *after* the last date set for expert witness disclosures of
14 November 22, 2013, and leaves little time for the parties to engage in the completion of
15 discovery prior to the February 28, 2014 discovery cut-off date (which is the last date by
16 which all discovery motions must be heard and any orders complied with);

17 **WHEREAS**, if counsel’s motion is granted, at present Plaintiff will be without
18 counsel. Plaintiff, or his counsel if he later obtains counsel, will need time to understand the
19 case, proceed with discovery and participate in any settlement conference to which the Court
20 may refer the parties;

21 **WHEREAS**, Plaintiff’s counsel cannot continue performing substantive work for
22 Plaintiff who has terminated her services (such as choosing and disclosing experts), and it
23 furthers the interests of justice that new dates be set that are agreeable to Plaintiff (or his new
24 counsel) and defendants in light of Plaintiff’s counsel’s pending motion to withdraw.

25 **NOW, THEREFORE**, the parties, by and through their counsel of record, hereby
26 stipulate as follows:

- 27 1. All dates set in the Court’s May 15, 2013 Scheduling Order (Dkt. 15) be
28 vacated; and

STIPULATION AND [PROPOSED] ORDER TO VACATE DATES IN SCHEDULING ORDER AND TO
SET NEW DATE FOR STATUS CONFERENCE

1 2. A Status Conference be set for a date after January 15, 2014 at the Court's
2 convenience.

3 **IT IS SO STIPULATED.**

4 Dated: October 24, 2013

MOORE LAW FIRM, P.C.

6 /s/ Tanya E. Moore

Tanya E. Moore
Attorneys for Plaintiff
Carl Casperson

9 Dated: Octobr 23, 2013

DOWNEY BRAND LLP

10 /s/ Janlynn R. Fleener

Janlynn R. Fleener
Attorneys for Defendant,
The Golden 1 Credit Union

13 Dated: October 23 2013

LAW OFFICES OF MATTHEW V. BRADY

15 /s/ Matthew V. Brady

Matthew V. Brady
Attorney for Defendants,
Koraf Corporation, Douglas Knutsen,
and Phyllis Knutsen

19 **ORDER**

20 The Parties having so stipulated and good cause appearing,

21 **IT IS HEREBY ORDERED** that all dates set in the Scheduling Order dated May 15,
22 2013 (Dkt. 15) are hereby VACATED.

23 **IT IS FURTHER ORDERED** that the Parties appear, in person, at a Status Conference
24 on January 22, 2014 at 9:30 am, in Courtroom 6, and that a Joint Status Report be filed no later
25 than fourteen days prior to the conference.

26 **IT IS SO ORDERED.**

27 Dated: October 25, 2013

/s/ John A. Mendez

JOHN A. MENDEZ
United States District Judge

28
STIPULATION AND [PROPOSED] ORDER TO VACATE DATES IN SCHEDULING ORDER AND TO
SET NEW DATE FOR STATUS CONFERENCE