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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ED WHITAKER,

Plaintiff,

v.

COSTCO WHOLESALE CORPORATION,

Defendant.

No. 13-CV-00668 JAM-EFB

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S
MOTION FOR AN EXTENSION OF THE
DISCOVERY CUT-OFF DATE AND
COMPELLING COSTCO TO PRODUCE
DEPOSITION WITNESSES**

Plaintiff's Motion to extend the discovery cut-off came on for hearing before this Court on June 4, 2014. Plaintiff seeks this extension to examine witnesses Alan Caito, Randy Takeshita and Terry Fuller Holland, as previously agreed by Stipulation of October 22, 2013 (Stipulation and Order Regarding Agreed Upon Discovery [EF Doc. 232, Filed Oct. 23, 2013]).

The Court finds that good cause exists for a brief extension of the discovery cut-off in order to allow Plaintiff to take the depositions of Alan Caito and Randy Takeshita. Good cause was not shown as to Plaintiff's request to depose Terry Fuller Holland. Accordingly, Plaintiff's Motion herein is granted in part and denied in part, and

1 IT IS ORDERED that:

2 1. The discovery cut-off date for this case is extended to
3 June 27, 2014;

4 2. The deposition of Alan Caito shall be held in Des
5 Moines, Iowa no later than June 17, 2014 or, if the parties
6 informally agree, no later than June 27, 2014;

7 3. The deposition of Randy Takeshita shall be held in, or
8 in a location near, Manteca, California no later than June 27,
9 2014; and

10 4. Plaintiff shall pay all expenses incurred by
11 Defendant's counsel in connection with these depositions,
12 including travel expenses (meals, hotel and transportation) and
13 the cost of deposition transcripts. An itemization of these
14 expenses shall be sent by Defendant to Plaintiff's counsel by
15 July 21, 2014 and paid by Plaintiff prior to the August 15, 2014
16 pre-trial conference.

17 IT IS SO ORDERED.

18 Dated: June 4, 2014

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20 JOHN A. MENDEZ,
21 UNITED STATES DISTRICT JUDGE
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