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 15 **UNITED STATES DISTRICT COURT**
 16 **EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION**
 17

18 FRANK M. BOOTH, INC., a California
 corporation,

19 Plaintiff,

20 v.

21 THERMACOR PROCESS, L.P., a Texas
 22 limited partnership; THERMACOR
 PROCESS, INC., a Texas corporation;
 23 THERMACOR, L.C., a Texas limited
 liability company; RICHARD B. BENDER
 24 II, an individual; JOE KEYES, an
 individual; and DOES 21 through 50,
 25 inclusive,

26 Defendants.

CASE NO. 2:13-cv-01831-MCE-CKD

**STIPULATION AND ORDER MODIFYING
 PRETRIAL SCHEDULING ORDER**

(Yolo County Superior Court Case No.
 CV13-1298)

1 Plaintiff Frank M. Booth, Inc. ("Plaintiff") and defendants Thermacor Process, L.P.,
2 Thermacor Process, Inc., Thermacor, L.C., Richard B. Bender II, and Joe Keyes
3 ("Defendants"), through their respective undersigned counsel, hereby stipulate as follows:

4 1. On March 18, 2014, this Court entered its Pretrial Scheduling Order. On
5 September 4, 2014, pursuant to the Parties' Stipulation for Modifying Pretrial Scheduling
6 Order, the Court entered its Amended Pretrial Scheduling Order (the "Order").

7 2. Pursuant to the Order, all non-expert discovery shall be completed by May
8 7, 2015.

9 3. As discussed in the parties' previous Stipulation for Modifying Pretrial
10 Scheduling Order, the parties are engaged in meaningful settlement discussions and are
11 scheduled to mediate on April 17, 2015.

12 4. In order to allow more time for the parties to complete mediation without
13 having to propound costly discovery, Plaintiff and Defendants have stipulated to amend
14 the Order as follows: The non-expert discovery deadline of **May 7, 2015** be extended to
15 **July 7, 2015**.

16 5. Good cause exists for the approval of this stipulation. Because the above-
17 mentioned mediation may resolve this action entirely, modifying the Order in the manner
18 requested seeks to preserve judicial economy and prevent Plaintiff and Defendants from
19 incurring unnecessary discovery and litigation costs.

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21 DATED: April 9, 2015

HANSON BRIDGETT LLP

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By: /s/ John W. Klotsche

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SEAN P. THOMPSON

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JOHN W. KLOTSCHE

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Attorneys for Plaintiff FRANK M. BOOTH, INC.

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1 DATED: April 9, 2015

TRAINOR FAIRBROOK

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By: /s/ Michael Middleton

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MICHAEL S. MIDDLETON
Attorneys for Defendants THERMACOR
PROCESS, L.P.; THERMACOR PROCESS,
INC.; THERMACOR, L.C.

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DATED: April 9, 2015

DOWNEY BRAND LLP

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By: /s/ Matthew J. Weber

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MATTHEW J. WEBER
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PROCESS, L.P.; THERMACOR PROCESS,
INC.; THERMACOR, L.C.; RICHARD B.
BENDER II and JOE KEYES

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ORDER

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In accordance with the parties' stipulation, and good cause appearing therefor, the date for completing discovery in this matter is hereby continued from May 7, 2015 to July 7, 2015. All other dates contained in the Court's September 4, 2014 Amended Pretrial Scheduling Order remain unchanged.

IT IS SO ORDERED.

Dated: April 9, 2015


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