

1 Joel M. Weinstein
2 (SBN # 213016)
3 RANDOLPH LAW, PLLC
4 PO Box 50752
5 Arlington, VA 22205
6 Tel: (714) 396-9394
7 joel.weinstein@randolphlawonline.com

8 Christopher Shiplett *pro hac vice*
9 RANDOLPH LAW, PLLC
10 PO Box 50752
11 Arlington, VA 22205
12 Tel: (703) 652-3039
13 chris.shiplett@randolphlawonline.com

14 Attorneys for Plaintiff

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

19
20 SAHARA SMOKE CO.,

21 Plaintiff,

22 v.
23 JOHN KAKO and
24 SAHARA HOOKAH LLC,

25 Defendants.

26 CASE NO. 2:13-CV-02588-TLN-CKD

27
28 **STIPULATION AND ORDER TO**
EXTEND DISCOVERY DATES;
ORDER

29 Plaintiff Sahara Smoke Co., and Defendants John Kako and Sahara Hookah LLC
30 through their respective counsels, hereby submit the following stipulation and
31 Order to extend discovery dates and request modification of the Court's scheduling
32 order pursuant to Rule 16 of the Federal Rules of Civil Procedure.

Recitals

1. On August 13, 2014, this Court's Scheduling Order set the following dates for the completion of discovery, including expert discovery.

Discovery Completion Date: March 19, 2015;
Plaintiff's Expert Disclosures: May 21, 2015;
Defendant's Expert Disclosures: May 21, 2015;

2. The parties are working diligently and appear to be close to a settlement on this matter.
 3. The parties do not seek or wish to change any remaining dates, including dates for dispositive motions, pretrial conference, or trial.
 4. The parties previously submitted a stipulation to an extension of the discovery period, which the court denied without prejudice, and with leave to re-file provided that the re-filed stipulation ensured that the pretrial dates were amended in compliance with the court's pretrial scheduling order to afford the court adequate time between applicable deadlines.
 5. The parties have modified the previous stipulation and proposed order to remove the proposed separate deadline to file discovery motions, which would have had discovery motions heard after the deadline for dispositive motions and after the final pretrial conference, and would have conflicted with the scheduling order's mandate to have all discovery disputes resolved by order prior to the discovery deadline.

Stipulation

Accordingly, based upon the foregoing, the parties hereby STIPULATE that:

6. The deadline for completion of all discovery shall be continued to June 19, 2015.
 7. The date for Plaintiff to make his disclosure of experts under Rule 26(a)(2) shall be continued to August 21, 2015.
 8. The date for Defendants to make their disclosure of experts under Rule 26(a)(2) shall be continued to August 21, 2015.
 9. All remaining pretrial dates shall remain as set by the Court in its August 13, 2014 Order.

IT IS SO STIPULATED.

Dated February 2, 2015.

RANDOLPH LAW, PLLC

BY: /s/ Joel M. Weinstein

Joel M. Weinstein

Attorney for Sahara Smoke Co.

Dated February 2, 2015.

DAVIS & LEONARD, LLP

BY: /s/ *Stephen L. Davis* (SBN. 149817)

STEPHEN L. DAVIS

*Attorney for Defendants John Kako and
Sahara Hookah LLC*

ORDER

Having read and considered the parties' Stipulation to Extend Discovery Dates IT
IS HEREBY ORDERED THAT:

The dates for completion of discovery, including expert discovery, shall be CONTINUED to the dates set forth in the stipulation above; and

All remaining pretrial dates set by this Court's August 13, 2014 Scheduling Order shall remain UNCHANGED.

The extension of the deadlines relating to discovery ordered above SHALL NOT BE CONSIDERED IN DERTIMINING WHETHER THERE IS GOOD CAUSE FOR THE EXTENSION OF ANY OTHER DEADLINES set in this Court's August 13, 2014 Scheduling Order.

IT IS SO ORDERED.

Dated: February 3, 2015

Troy L. Nunley