

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

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

17 SAHARA SMOKE CO.,

18 Plaintiff,

19 v.

20 JOHN KAKO and
21 SAHARA HOOKAH LLC,

22 Defendants.
23

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

24 **STIPULATION AND ORDER TO**
25 **EXTEND DISCOVERY DATES;**
26 **ORDER**

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

1
2 **Recitals**
3

- 4 1. On August 13, 2014, this Court's Scheduling Order set the following
5 dates for the completion of discovery, including expert discovery.
6

7 Discovery Completion Date: March 19, 2015;
8 Plaintiff's Expert Disclosures: May 21, 2015;
9 Defendant's Expert Disclosures: May 21, 2015;
10

- 11 2. The parties are working diligently and appear to be close to a settlement
12 on this matter.
13 3. The parties do not seek or wish to change any remaining dates, including
14 dates for dispositive motions, pretrial conference, or trial.
15 4. The parties previously submitted a stipulation to an extension of the
16 discovery period, which the court denied without prejudice, and with
17 leave to re-file provided that the re-filed stipulation ensured that the
18 pretrial dates were amended in compliance with the court's pretrial
19 scheduling order to afford the court adequate time between applicable
20 deadlines.
21 5. The parties have modified the previous stipulation and proposed order to
22 remove the proposed separate deadline to file discovery motions, which
23 would have had discovery motions heard after the deadline for
24 dispositive motions and after the final pretrial conference, and would
25 have conflicted with the scheduling order's mandate to have all discovery
26 disputes resolved by order prior to the discovery deadline.
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6. The deadline for completion of all discovery shall be continued to June 19, 2015.

8. The date for Defendants to make their disclosure of experts under Rule 26(a)(2) shall be continued to August 21, 2015.

IT IS SO STIPULATED.

Attorney for Sahara Smoke Co.

*Attorney for Defendants John Kako and
Sahara Hookah LLC*

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3 **ORDER**

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

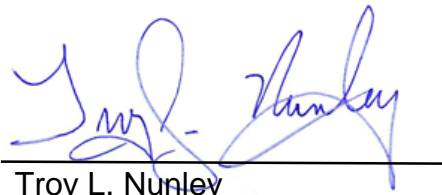
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7 The dates for completion of discovery, including expert discovery, shall be
8 CONTINUED to the dates set forth in the stipulation above; and

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

12 The extension of the deadlines relating to discovery ordered above SHALL NOT
13 BE CONSIDERED IN DERTIMINING WHETHER THERE IS GOOD CAUSE
14 FOR THE EXTENSION OF ANY OTHER DEADLINES set in this Court's
15 August 13, 2014 Scheduling Order.
16

17 IT IS SO ORDERED.
18

19 Dated: February 3, 2015

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22 Troy L. Nunley
23 United States District Judge
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