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 13 COMPANY f/k/a USF INSURANCE  
 14 COMPANY

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

18 ATAIN SPECIALTY INSURANCE  
 19 COMPANY f/k/a USF INSURANCE  
 20 COMPANY, a Michigan corporation,  
 21  
 22 Plaintiff,

23 v.

24 SIERRA PACIFIC MANAGEMENT  
 25 COMPANY, a California corporation;  
 26 CALIFORNIA CAPITAL INSURANCE  
 27 COMPANY, a California corporation  
 28  
 29 Defendants.

30 CALIFORNIA CAPITAL INSURANCE  
 31 COMPANY, a California corporation  
 32  
 33 Counterclaimant,

34 v.

35 ATAIN SPECIALTY INSURANCE  
 36 COMPANY f/k/a USF INSURANCE  
 37 COMPANY, a Michigan corporation  
 38  
 39 Counterdefendant.

Case No. 2:14-cv-00609-TLN-DAD

**STIPULATION TO EXTEND DEADLINES  
 TO FILE AND SERVE REBUTTAL  
 EXPERT REPORTS; ORDER THEREON**

Judge: Hon. Troy L. Nunley  
 Magistrate Judge: Hon Dale A. Drozd

1 CALIFORNIA CAPITAL INSURANCE  
2 COMPANY, a California corporation

3 Third Party Plaintiff,

4 v.

5 JERRY LEE and BETTY LEE,

6 Third Party Defendants.  
7

8 Plaintiff and Counter-Defendant ATAIN SPECIALTY INSURANCE COMPANY f/k/a  
9 USF INSURANCE COMPANY (“Atain”) and Defendant/Counterclaimant CALIFORNIA  
10 CAPITAL INSURANCE COMPANY (“California Capital”), and Third Party Defendants  
11 JERRY LEE and BETTY LEE (the “Lees”), through their respective counsel of record, hereby  
12 enter into the following stipulation regarding the deadlines for rebuttal expert reports, and agree  
13 as follows:

14 **WHEREAS**, the Court’s Pretrial Scheduling Order originally set July 30, 2015 as the  
15 last date to designate expert witnesses;

16 **WHEREAS**, the Court’s Pretrial Scheduling Order also stated that: “Within twenty (20)  
17 days after the designation of expert witnesses, any party may designate a supplemental list of  
18 expert witnesses who will express an opinion on a subject covered by an expert designated by  
19 an adverse party.” (Docket 27.)

20 **WHEREAS**, on August 4, 2015, the Court entered an Order based on the parties’  
21 stipulation, which modified the expert disclosure deadlines such that the last day to designate  
22 expert witnesses was August 14, 2015 and the last date to designate rebuttal experts was extended  
23 to September 3, 2015 (Docket 40).

24 **WHEREAS**, on August 4, 2015, California Capital disclosed James P. Schratz as a  
25 retained expert that California Capital intends to call to testify at trial in this matter, and provided  
26 with its disclosure a copy of Mr. Schratz’s expert report.

27 **WHEREAS**, Atain did not designate an expert on the date set for expert witness  
28 disclosures, but intends to designate a rebuttal expert in response to California Capital’s



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Dated: August 24, 2015

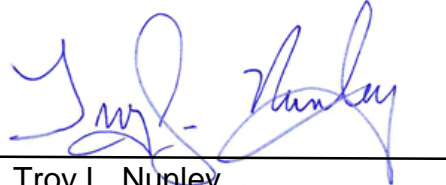
SPINELLI, DONALD & NOTT

/s/ Sean M. Patrick (as authorized on 8/24/15)  
Ross R. Nott  
Sean M. Patrick  
*Attorneys for* Third Party Defendants JERRY LEE  
and BETTY LEE

**ORDER**

Pursuant to the parties' stipulation, **IT IS SO ORDERED.**

Dated: August 26, 2015



Troy L. Nunley  
United States District Judge