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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.

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

**STIPULATION REGARDING
 DEPOSITIONS OF RETAINED EXPERT
 WITNESSES; ORDER THEREON**

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

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.

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”), 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 concerning the depositions of the parties’ disclosed retained
13 expert and rebuttal expert witnesses, and agree as follows:

14 **WHEREAS**, pursuant to the Court’s Orders on the parties’ stipulations (Docket Nos.
15 40, 43), California Capital filed its expert witness disclosures on August 14, 2015 (Docket 41),
16 Atain filed its rebuttal expert witness disclosure on September 3, 2015 (Docket 44), and Atain
17 filed its rebuttal expert witness report on September 14, 2015 (Docket 45).

18 **WHEREAS**, the Court’s Pretrial Scheduling Order (Docket 27) did not set a specific
19 date for the close of expert witness discovery, but instructed counsel to complete all discovery
20 of expert witnesses in a timely manner in order to comply with the Court’s deadline for filing
21 dispositive motions.

22 **WHEREAS**, the Court’s Pretrial Scheduling Order (Docket 27) provides that all
23 dispositive motions shall be heard no later than November 19, 2015.

24 **WHEREAS**, due to witness unavailability in the coming months, California Capital and
25 Atain seek to coordinate the depositions of their respective expert witnesses for dates after the
26 date the parties must file their dispositive motions.

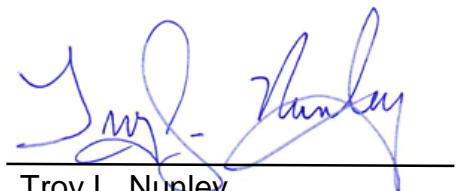
27 **WHEREAS**, California Capital and Atain have agreed that the retained expert witness
28 depositions should be taken at a later date, within 30 days of the Court’s ruling on the parties’

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ORDER

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

Dated: September 16, 2015



Troy L. Nunley
United States District Judge