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8	COMPANY		
9	UNITED STATES DISTRICT COURT		
10	EASTERN DISTRICT OF CALIFORNIA		
11	SACRAMENTO DIVISION		
12			
13	ATAIN SPECIALTY INSURANCE	Case No. 2:14-cv-00609-TLN-DAD	
14	COMPANY f/k/a USF INSURANCE COMPANY, a Michigan corporation,	STIPULATION REGARDING	
15	Plaintiff,	DEPOSITIONS OF RETAINED EXPERT WITNESSES; ORDER THEREON	
16	v.	Judge: Hon. Troy L. Nunley Magistrate Judge: Hon Dale A. Drozd	
17	SIERRA PACIFIC MANAGEMENT COMPANY, a California corporation;	Magistrate Judge. Holl Dale A. Drozu	
18	CALIFORNIA CAPITAL INSURANCE COMPANY, a California corporation		
19	Defendants.		
20	Defendants.		
21	CALIFORNIA CAPITAL INSURANCE COMPANY, a California corporation		
22	Counterclaimant,		
23	,		
24	V.		
25	ATAIN SPECIALTY INSURANCE COMPANY f/k/a USF INSURANCE		
26	COMPANY, a Michigan corporation		
27	Counterdefendant.		
28			
	STIPULATION RE: RETAINED EXPERT WITNESS DEPOSITIONS; ORDER THEREON	CASE NO. 2:14-CV-00609-TLN-DAD	

1 2	CALIFORNIA CAPITAL INSURANCE 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'	

1	dispositive motions.		
2	WHEREAS, the parties agree that the taking of the retained expert witness depositions at		
3	a later date will not impact the existing deadlines for the filing and hearing of the parties'		
4	dispositive motions on purely legal issues.		
5	<u>STIPULATION</u>		
6	Atain, California Capital, and the Lees hereby agree to the following:		
7	1. If the parties seek to take the depositions of the disclosed retained expert or		
8	rebuttal expert witnesses in this action, such depositions shall be completed within 30 days after		
9	the Court issues its ruling(s) on the parties' dispositive motions.		
10	2. All other pretrial and tr	rial dates identified in the Court's Pretrial Scheduling Order	
11	remain unchanged.		
12	IT IS SO STIPULATED, by and between Atain, California Capital, and the Lees, by		
13	and through their respective counsel.		
14	Dated: September 14, 2015	ADCHED MODDIS	
15		ARCHER NORRIS	
16		<u>/s/ Andrew J. King</u> GailAnn Y. Stargardter Andrew J. King	
17 18		Attorneys for Plaintiff and Counterdefendant ATAIN SPECIALTY INSURANCE COMPANY	
19		f/k/a USF INSURANCE COMPANY	
20	Dated: September 14, 2015	GRANT, GENOVESE & BARATTA, LLP	
21		/s/ Lance D. Orloff (as authorized on 9/14/15) James M. Baratta	
22		Lance D. Orloff Attorneys for Defendant/Counterclaimant	
23		CALIFORNIA CAPITAL INSURANCE COMPANY	
24	Dated: September 15, 2015	SPINELLI, DONALD & NOTT	
25		/s/ Sean M. Patrick (as authorized on 9/15/15)	
26		Ross R. Nott Sean M. Patrick	
27		Attorneys for Third Party Defendants JERRY LEE and BETTY LEE	
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Į.	STIPLIL ATION RE- RETAINED EXPERT		

1	<u>ORDER</u>
2	Pursuant to the parties' stipulation, IT IS SO ORDERED.
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4	Dated: September 16, 2015
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6	- Wy - thinker
7	Troy L. Nunley United States District Judge
8	Simod States Pistriot saage
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