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UNITED STATES DISTRICT COURT
EASTERN DIVISION OF CALIFORNIA, SACRAMENTO DIVISION

SIEMENS INDUSTRY, INC.,
 Plaintiff,
 vs.
 CTC SERVICES, INC.,
 Defendants.

CASE NO.: 2:14-CV-00682-TLN-EFB

**STIPULATION AND ORDER TO MODIFY
 PRETRIAL SCHEDULING ORDER TO
 EXTEND DEADLINES PERTAINING TO
 EXPERT DISCOVERY AND EXPERT
 DISCOVERY CUT-OFF**

This Stipulation is made by and between Plaintiff Siemens Industry, Inc. ("Plaintiff") and Defendant CTC Services, Inc. ("Defendant"), in light of the following facts:

RECITALS

WHEREAS, this Court entered its Order re: Status (Pretrial Scheduling) Conference on May 30, 2014 ("Order"), Docket Number 11;

WHEREAS, pursuant to the Order, the parties are to disclose experts and to produce expert reports in accordance with Federal Rule of Civil Procedure 26(a)(2) no later than April 22, 2015 and with regard to expert testimony intended solely for rebuttal on or before May 22, 2015 and with all discovery to be completed by May 22, 2015;

1 WHEREAS, the Parties have initiated discussions for potential settlement
2 amongst counsel;

3 WHEREAS, in furtherance of potential settlement, the Parties have scheduled a
4 mediation for April 20, 2015, engaging the services of Mediator Kenneth Malovos,
5 Esq., but need additional time to determine whether a settlement can be reached in
6 this case;

7 WHEREAS, the Parties recognize that the insurance policies procured by
8 Defendant for the claims being made by Plaintiff are not currently providing a defense
9 to Defendant, and the Parties recognize the necessity of obtaining the cooperation for
10 coverage from the applicable insurance carriers to fully resolve the alleged damages
11 from Plaintiff;

12 WHEREAS, the Parties desire to focus their resources on obtaining insurance
13 coverage for the claims from either or both involved policies and carriers and to
14 minimize expenditure of resources and reserve available moneys to settle their dispute
15 rather than incur costs on expert reports and expert discovery at this time, particularly
16 with the Final Status Conference not scheduled until October 19, 2015 and the Trial not
17 scheduled until January 20, 2016;

18 WHEREAS, the Parties agree that it would be in their collective best interests to
19 extend the current deadlines contained in the Order as follows:

20 (a) The deadline to disclose experts and produce reports in accordance
21 with Federal Rule of Civil Procedure 26(a)(2) to be extended from April 22, 2015 to
22 August 14, 2015;

23 (b) The deadline to disclose expert testimony and produce reports
24 intended solely for rebuttal purposes in accordance with Federal Rule of Civil
25 Procedure 26(a)(2) shall be extended from May 22, 2015 to September 4, 2015;

26 (c) All expert discovery, as set forth in the Court's Order, shall be so
27 conducted so as to be completed by September 21, 2015;

28

1 WHEREAS, Plaintiff and Defendant agree to use the extension of time afforded
2 by this Stipulation to explore and focus efforts on coverage and settlement of their
3 dispute;

4 WHEREAS, the proposed stipulated modification of the terms Court's May 30,
5 2014 Order will not delay or prejudice the timely resolution of this case in the event the
6 settlement negotiations prove unsuccessful inasmuch as this case is not set for Trial
7 until January 20, 2016, and the Parties are not seeking to change the Trial Date.

8 **STIPULATION**

9 WHEREFORE, IT IS STIPULATED AND AGREED BY AND BETWEEN
10 PLAINTIFF AND DEFENDANT THAT:

11 (a) The parties shall disclose experts and produce reports in accordance with
12 Federal Rule of Civil Procedure 26(a)(2) no later than August 14, 2015;

13 (b) Expert testimony and reports intended solely for rebuttal purposes shall be
14 disclosed and reports produced in accordance with Federal Rule of Civil Procedure
15 26(a)(2) on or before September 4, 2015; and

16 (c) All expert discovery shall be conducted so as to be completed by September
17 21, 2015.

18 **IT IS SO STIPULATED.**

19 DATED: April 14, 2015

TRACHTMAN & TRACHTMAN, LLP

21 By: /s/

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DATED: April 14, 2015

REYNOLDS MADDUX, LLP

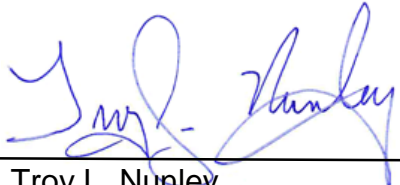


By: _____

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Attorneys for Defendant CTC SERVICES,
INC.

IT IS SO ORDERED.

Dated: April 16, 2015



Troy L. Nunley
United States District Judge