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 7
 8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10
 11 SIEMENS INDUSTRY, INC.,

No. 2:14-CV-00682-TLN-EFB

12 Plaintiff,

13 v.

14 CTC SERVICES, INC., and DOES
 15 1 Through 20, inclusive,

**STIPULATION AND ORDER TO MODIFY
 PRETRIAL SCHEDULING ORDER TO
 EXTEND DEADLINE FOR COMPLETION
 OF DISCOVERY**

16 Defendants.

17
 18 This Stipulation is made between Plaintiff Siemens
 19 Industries, Inc. ("Plaintiff") and Defendant CTC Services, Inc.
 20 ("Defendant") in light of the following facts:

21 WHEREAS, the court entered its Order re: Status (Pretrial
 22 Scheduling) Conference on May 30, 2014 ("Order"), docket No. 11;

23 WHEREAS, pursuant to the Order, the parties are to complete
 24 all discovery by May 22, 2015;

25 WHEREAS, the parties have initiated settlement discussions
 26 between counsel;

27 WHEREAS, in furtherance of potential settlement, the Parties
 28 engaged in mediation on April 20, 2015, with the assistance of

1 Sacramento attorney and mediator Kenneth Malovos, Esq.;

2 WHEREAS, significant progress was made toward settlement at
3 mediation, but the Parties need additional time to determine
4 whether a settlement can be reached;

5 WHEREAS, Defendant's insurance carriers are not currently
6 providing either a defense or potential indemnity to Defendant in
7 this matter, but the Parties agree that grounds for such defense
8 and indemnity appear to exist and recognize the necessity of
9 obtaining the cooperation of the insurance carriers to fully
10 resolve and/or settle Plaintiff's damage claims;

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

18 WHEREAS, the Parties agree that it would be in their
19 collective best interests to extend the deadline in the Order to
20 complete discovery to July 21, 2015;

21 WHEREAS, Plaintiff and Defendant agree to use the extension
22 of time afforded by this Stipulation to explore and focus their
23 efforts on insurance coverage and settlement of their dispute;

24 WHEREAS, the proposed stipulation for modification of the
25 terms of the Order will not delay or prejudice the timely
26 resolution of this case in the event settlement negotiations
27 and/or further mediation prove unsuccessful inasmuch as this case
28 is not set for Trial until January 20, 2016 and the Parties are

1 not seeking to change the Trial Date.

2 **STIPULATION**

3 WHEREFORE, IT IS STIPULATED AND AGREED BY AND BETWEEN
4 PLAINTIFF AND DEFENDANT THAT THE CLOSE OF DISCOVERY IS EXTENDED SO
5 THAT ALL DISCOVERY MUST BE CONDUCTED SO AS TO BE COMPLETED NO
6 LATER THAN JULY 21, 2015.

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8 **IT IS SO STIPULATED.**

9 Dated: April 27, 2015

REYNOLDS MADDUX WOODWARD LLP

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11 By: s/Phillip J. Maddux
12 Phillip J. Maddux
13 Attorneys for Defendant
14 CTC Services, Inc.

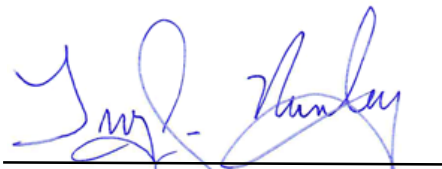
15 Dated: April 27, 2015

TRACHTMAN & TRACHTMAN, LLP

16 By: s/Ryan M. Craig
17 as authorized 4/27/15
18 Benjamin R. Trachtman
19 Ryan M. Craig
20 Attorneys for Plaintiff
21 Siemens Industry, Inc.

22 **IT IS SO ORDERED.**

23 Dated: April 30, 2015

24 
25 Troy L. Nunley
26 United States District Judge
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