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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10 SACRAMENTO DIVISION

12 Diana McMenemy, an individual, and
Michael McMenemy, an individual,

13 Plaintiffs,

14 vs.

15 Colonial First Lending Group, Inc., a
16 Utah corporation; Colonial First
Business Development, LLC, a Utah
17 limited liability company; Devin Jones,
an individual, Flagship Financial
18 Group, LLC, a _____,
and DOES 1 through 10,

19 Defendants.
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CASE NO. 2:14-cv-001482-jam-ac

**Joint Stipulation to Modify Pre-Trial
Scheduling Order & Order**

21 COMES NOW Diana McMenemy and Michael McMenemy, by and through
22 counsel, Defendant Flagship Financial Group, LLC, by and through counsel, and
23 Defendant Devin Jones, pro se (collectively “the Parties”)¹, and hereby jointly stipulate
24 and move the Court to modify the Status (Pre-trial Scheduling) Order.

25 These modifications are requested due to unforeseen difficulties in locating third-
26 party witnesses and documents, to accommodate the work schedule of Michael

27 ¹ Defendant Colonial First Lending Group, Inc. was terminated from this action on or about August 26,
28 2014. Defendant Colonial First Business Development, LLC is not currently represented by counsel and is
not actively participating in this litigation.

1 McMenemy, who obtained new employment in Arizona and was unavailable to
2 participate in discovery for approximately one month, and to allow the Parties additional
3 time to conduct further discovery based on documents and other information identified for
4 the first time at Plaintiffs' depositions on July 30th and 31st.

5 Notwithstanding these difficulties and the requested extension, the parties are
6 making good progress in discovery and do not anticipate any discovery-related motions at
7 this time.

8 The requested modifications are as follows:

9 DISCOVERY

10 All fact discovery shall be completed by October 30, 2015.

11 MOTION HEARING SCHEDULES

12 All dispositive motions shall be filed on or before February 23, 2016. Hearing on
13 such motions shall be on March 22, 2016, at 9:30 AM or at such other convenient time so
14 designated by the Court.

15 DISCLOSURE OF EXPERT WITNESSES

16 The Parties have already disclosed names and CVs of those experts anticipated to
17 give testimony in this case. The Parties agree that experts shall provide written reports no
18 later than ninety (90) days prior to trial pursuant to Fed. R. Civ. P. 26(a)(2)(D)(i). The
19 Parties agree that expert depositions may be taken within thirty (30) days of receipt of the
20 written report or such other time agreed-upon by the parties.

21 JOINT PRETRIAL STATEMENT

22 The Joint Pretrial Statement shall be due May 20, 2016.

23 FINAL PRETRIAL CONFERENCE

24 The Final Pretrial Conference shall be held on May 27, 2016, at 10:00 AM.

25 TRIAL

26 The jury trial will be scheduled to commence on June 27, 2016 at 9:00 AM.

27 OTHER PROVISIONS

28 Unless otherwise modified by this stipulation, the Status (Pre-trial Scheduling)

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Order entered by this Court on July 22, 2014, shall remain in full force and effect.

DATED this 6th day of August, 2015.

SNELL & WILMER L.L.P.

/s/ Patrick H. Dwyer
Signed by BTW with permission of PHD
Patrick H. Dwyer
Attorney for Plaintiffs

/s/ Ben T. Welch
Michael Reynolds
Ben T. Welch
Attorneys for Flagship Financial Group, LLC

/s/ Devin Jones
Signed by BTW with permission of DJ
Devin Jones
Pro se

ORDER

IT IS SO ORDERED.

DATED: 8/7/2015

/S/ JOHN A. MENDEZ
JOHN A. MENDEZ
United States District Court Judge