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10 COMPANY dba VON WEISE USA, INC., fka
11 FASCO INDUSTRIES, INC.

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CALIFORNIA CAPITAL INSURANCE
COMPANY,

Plaintiff,

v.

FASCO INDUSTRIES, and DOES 1
through 20, inclusive,

Defendant.

Case No. 2:14-cv-02425-TLN-EFB

**STIPULATION AND ORDER
CONTINUING CLOSE OF DISCOVERY
FROM DECEMBER 3, 2015 UNTIL
FEBRUARY 18, 2016; EXPERT
DISCLOSURE FROM FEBRUARY 4, 2016
UNTIL MARCH 4, 2016**

Plaintiff California Capital Insurance Company and Defendant Tecumseh Products Company, through their respective counsel, respectfully request a continuance of the close of discovery, motion hearing schedule, and final pre-trial conference deadlines due to the following.

RECITALS

1. On April 17, 2015 this Court entered its Pretrial Scheduling Order that, among other things, provided that the Pretrial Scheduling Order would not be modified except by leave of court upon a showing of good cause. This case is currently set for trial on November 14, 2016.

2. The parties believe good cause exists for a brief continuance of the current December 3, 2015 close of discovery and February 4, 2016 deadline to disclose expert witnesses. The parties recently agreed to privately mediate this case and have subsequently chosen a

1 mediator. The parties are attempting to mediate this case prior to engaging in further discovery,
2 including expert discovery.

3 3. The brief continuance of the close of discovery and expert disclosure dates
4 proposed herein would allow the parties to efficiently prepare for a meaningful mediation
5 (without having to first incur the fees and costs of further discovery) and would not alter the
6 Court's current November 14, 2016 trial date.

7 4. Accordingly, all parties agree that it is in the interests of justice and an efficient
8 resolution of this case to extend that following deadlines:

<u>Event</u>	<u>Current Date</u>	<u>New Date</u>
9 Close of Discovery	December 3, 2015	February 18, 2016
10 Expert Disclosure	February 4, 2016	March 4, 2016

11 **STIPULATION**

12 Based on the foregoing recitals, the parties hereby STIPULATE that:

13 1. The close of discovery is continued from December 3, 2014 until February 18,
14 2016.

15 2. The disclosure of expert witnesses is continued from February 4, 2016 until March
16 4, 2016.

17 3. All remaining dates and deadlines as set by the Court in its April 27, 2015 Pretrial
18 Scheduling Order, are otherwise unaffected by this Stipulation and Proposed Order.

19 4. By entering into this stipulation, none of the parties waive any rights or arguments
20 that they may otherwise have with respect to their ability to request or oppose additional
21 continuances in this action if necessary.
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IT IS SO STIPULATED, THOUGH COUNSEL OF RECORD.

Dated: December 1, 2015

CULBRETH SCHROEDER, LLP

By: /s/ WILLIAM LOSCOTOFF, ESQ.
WILLIAM LOSCOTOFF, ESQ.
Attorneys for Plaintiff, CALIFORNIA
CAPITAL INSURANCE COMPANY

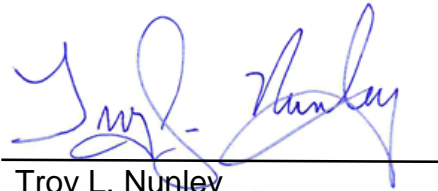
Dated: December 1, 2015

MATHENY SEARS LINKERT & JAIME, LLP

By: /s/ JEFFREY E. LEVINE, ESQ.
JEFFREY E. LEVINE, ESQ.
Attorneys for Defendant, TECUMSEH
PRODUCTS COMPANY dba VON
WEISE USA, INC., fka FASCO
INDUSTRIES, INC.

THE STIPULATION OF THE PARTIES IS APPROVED AND IT IS SO ORDERED.

Dated: December 4, 2015



Troy L. Nunley
United States District Judge