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 20 GARY HERD and NANCY HERD

21 UNITED STATES DISTRICT COURT
 22 EASTERN DISTRICT OF CALIFORNIA
 23 SACRAMENTO DIVISION
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1 TRES CRUZES LAND & CATTLE, LLC, a
California limited liability company,

2 Plaintiff,

3 vs.

4 SCOTTSDALE INSURANCE COMPANY,
5 A SUBSIDIARY OF NATIONWIDE
INSURANCE COMPANY, an Ohio
6 corporation; GARY HERD, an individual;
7 NANCY HERD, an individual; and DOES
1-30, inclusive,

8 Defendants.

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JOHN W. BUSBY II, TRUSTEE OF THE
EDWARD PESTANA TRUST, an individual

11 Plaintiff,

12 vs.

13 SCOTTSDALE INSURANCE COMPANY,
14 A SUBSIDIARY OF NATIONWIDE
INSURANCE COMPANY, an Ohio
15 corporation; GARY HERD, an individual;
16 NANCY HERD, an individual; and DOES
1-30, inclusive,

17 Defendants.
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Case No.: 2:15-cv-00449-MCE-AC
(As Consolidated)

**STIPULATION RE: RULE 26 INITIAL
DISCLOSURES; ORDER THEREON**

Associated Case No.
2:15-cv-00764-MCE-AC

20 **STIPULATION**

21 The parties, by and through their attorneys of record, hereby stipulate:

- 22 1. Tres Cruzes Land & Cattle, LLC and Scottsdale Insurance Company, A Subsidiary of
23 Nationwide Insurance Company provided their respective initial disclosures to each
24 other pursuant to Federal Rule of Civil Procedure 26(a)(1) in May 2015 prior to the
25 consolidations of the actions.
- 26 2. Gary Herd and Nancy Herd have not yet provided Federal Rule of Civil Procedure
27 26(a)(1) initial disclosures in the instant consolidated action, or either of the
28 previously unconsolidated actions.


1 **ORDER**

2 The parties having stipulated thereto and good cause appearing there, IT IS HEREBY
3 ORDERED, that the parties may meet their obligations under FRCP 26(a)(1) as follows:

- 4 1. The initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) made in
5 May 2015 by Tres Cruzes Land & Cattle, LLC and Scottsdale Insurance Company
6 shall be deemed made in the consolidated action and shall be served on Gary Herd,
7 Nancy Herd, and John W. Busby II, Trustee of the Edward Pestana Trust no later than
8 March 7, 2016. Tres Cruzes Land & Cattle, LLC and Scottsdale Insurance Company
9 shall have up to and until March 7, 2016 to supplement and/or modify the previous
10 disclosures.
- 11 2. Gary Herd, Nancy Herd, and John W. Busby II, Trustee of the Edward Pestana Trust
12 shall provide their initial disclosures pursuant to Federal Rule of Civil Procedure
13 26(a)(1) to all parties to the consolidated action on or before March 7, 2016.

14 IT IS SO ORDERED.

15 Dated: February 10, 2016

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18 MORRISON C. ENGLAND, JR., CHIEF JUDGE
19 UNITED STATES DISTRICT COURT
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