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15 Attorneys for Plaintiff
 16 CROSS CHECK SERVICES, LLC

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 18 UNITED STATES DISTRICT COURT
 19 EASTERN DISTRICT OF CALIFORNIA
 20

21 CROSS CHECK SERVICES, LLC,
 22 Plaintiff,
 23 v.
 24 OLD REPUBLIC INSURANCE COMPANY, a
 25 Pennsylvania Corporation,
 26 Defendant.

Case No.: 2:15-cv-02113-MCE-EFB

**STIPULATION AND ORDER TO
 MODIFY PRETRIAL SCHEDULING
 ORDER AND CONTINUE HEARING ON
 DISPOSITIVE MOTION**

Judge: Hon. Morrison C. England, Jr.

1 STIPULATION

2 WHEREAS, plaintiff Cross Check Services, Inc. and defendant Old Republic Insurance
3 Company wish to explore whether they might be able to amicably resolve their differences in the
4 above-captioned action through alternative dispute resolution;

5 WHEREAS, a trial date has yet to be set in the above-captioned action;

6 WHEREAS, the parties desire that all currently-set pretrial deadlines and that the hearing and
7 briefing schedule for Old Republic’s pending motion for partial summary judgment be continued to
8 allow the parties the opportunity to explore alternative dispute resolution without incurring
9 unnecessary fees and costs;

10 WHEREAS, no previous modification to the Pretrial Scheduling Order [Dkt. 9] has been
11 sought by any party;

12 WHEREFORE, the parties respectfully request that the Court modify its Pretrial Scheduling
13 Order [Dkt. 9] and continue the hearing and briefing schedule for Old Republic’s pending motion for
14 summary judgment as follows:

- 15 1. That the parties will engage in alternative dispute resolution proceedings on or before
16 February 15, 2017.
- 17 2. That the discovery completion date, with the exception of expert discovery, be
18 continued from November 14, 2016 to April 21, 2017.
- 19 3. That the expert disclosure date be continued from January 13, 2017 to March 31, 2017.
- 20 4. That the hearing date on Old Republic’s motion for partial summary judgment [Dkt.
21 11] be continued from December 1, 2016 to May 18, 2017, and that the filing deadlines
22 set forth in the Pretrial Scheduling Order [Dkt. 9] be calculated from the new hearing
23 date.
- 24 5. That the last date to hear dispositive motions be continued from May 18, 2017 to July
25 27, 2017.

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1 It is so STIPULATED.

2 Dated: October ___, 2016

PORTER SIMON

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By: _____

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Louis A. Basile
Attorneys for Plaintiff
CROSS CHECK SERVICES, INC.

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Dated: October ___, 2016

MURPHY CAMPBELL ALLISTON & QUINN

8

9

By: _____

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Douglas R. Alliston
Attorneys for Plaintiff
CROSS CHECK SERVICES, INC.

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Dated: October ___, 2016

COZEN O'CONNOR

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By: _____

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Michael W. Melendez
Attorneys for Defendant
OLD REPUBLIC INSURANCE COMPANY

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ORDER

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Based on the parties' stipulation and good cause having been shown, in order to allow the parties to explore alternative dispute resolution, it is hereby ORDERED that the Court's Pretrial Scheduling Order [Dkt. 9] is modified as follows:

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1. That the parties will engage in alternative dispute resolution proceedings on or before February 15, 2017. The parties are directed to file a Joint Status Report updating the Court as to the status and/or outcome of those proceedings on or before March 1, 2017.
2. That the discovery completion date, with the exception of expert discovery, be continued from November 14, 2016 to April 21, 2017.
3. That the expert disclosure date be continued from January 13, 2017 to March 31, 2017.

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- 4. That the hearing date on Nationwide’s motion for partial summary judgment [Dkt. 11] be continued from December 1, 2016 to May 18, 2017, and that the filing deadlines set forth in the Pretrial Scheduling Order [Dkt. 9] be calculated from the new hearing date.
- 5. That the last date to hear dispositive motions be continued from May 18, 2017 to July 27, 2017.

IT IS SO ORDERED.

Dated: October 21, 2016


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE