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 17 **UNITED STATES DISTRICT COURT**
 18 **EASTERN DISTRICT OF CALIFORNIA**
 19 **SACRAMENTO DIVISION**

20 CENGAGE LEARNING, INC.,

21 Plaintiff,

22 v.

23 DAVIS TEXTBOOKS, ALI SHERALI, and
 24 SHAHNAWAZ SHERALI,

25 Defendants.

Case No. 2:15-CV-02401-TLN-AC

**STIPULATION AND ORDER FOR
 MODIFICATION OF PRETRIAL
 SCHEDULING ORDER TO EXTEND
 DISCOVERY CUT-OFF AND DISPOSITIVE
 MOTION DEADLINES**

TRIAL DATE: October 16, 2017

1 Plaintiff Cengage Learning, Inc. and Defendants Davis Textbooks, Ali Sherali, and Shah Nawaz
2 Sherali, through their respective attorneys of record, hereby stipulate to modification of the Court's
3 September 14, 2016 Scheduling Order [Docket No. 70] as set forth below.

4 WHEREAS, Plaintiff filed its Complaint in the United States District Court, Northern District
5 of Illinois, Eastern Division, Case No. 1:15-cv-08117 on September 15, 2015;

6 WHEREAS, the matter was transferred to this Court on November 18, 2015 [Docket No. 30];

7 WHEREAS, a Pre-trial Scheduling Order of March 23, 2016, set the following dates;

- 8 1. June 30, 2016: Discovery cut-off;
- 9 2. September 1, 2016: Disclosure of expert witnesses;
- 10 3. January 12, 2017: Dispositive motions; and
- 11 4. July 10, 2017: Trial.

12 WHEREAS, on June 9, 2016, the Court granted the parties' first application for modification of
13 the Pre-Trial Scheduling Order to extend the discovery cut-off, disclosure of expert witness and
14 dispositive motion deadlines as follows:

- 15 1. September 30, 2016: Discovery cut-off;
- 16 2. November 1, 2016: Disclosure of expert witnesses; and
- 17 3. February 12, 2017: Dispositive motions.

18 WHEREAS, on September 14, 2016, the Court approved the parties' stipulation for
19 modification of the Pre-Trial Scheduling Order to extend the discovery cut-off, disclosure of expert
20 witness and dispositive motion deadlines as well as the final pre-trial conference date and the trial date
21 as follows:

- 22 1. November 30, 2016: Discovery cut-off;
- 23 2. January 6, 2017: Disclosure of expert witnesses;
- 24 3. April 6, 2017: Dispositive motions;
- 25 4. July 27, 2017: Final pre-trial conference; and
- 26 5. October 16, 2017: Trial date.

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WHEREAS, the parties have engaged in good-faith settlement negotiations for the past two months and, in view of the substantial fees and costs that would be incurred by each party in conducting further discovery (including party and non-party depositions), the parties have refrained from moving forward with discovery while such settlement discussions are pending;

WHEREAS, the parties have been unable to agree on settlement terms prior to the existing November 30, 2016 discovery cut-off;

WHEREAS, the parties anticipate that certain discovery and disputes will need to be presented to the Court and Plaintiff will seek leave to amend the complaint to add additional titles;

WHEREAS, in light of the above, the parties have agreed to extend the deadlines for discovery cut-off, disclosure of expert witnesses and dispositive motions as well as the final pre-trial conference and the trial date.

NOW THEREFORE, the parties hereby stipulate and agree as follows:

1. To extend percipient discovery cut-off from November 30, 2016 to February 28, 2017.
2. To extend disclosure of expert witness deadline from January 6, 2017 to March 13, 2017.
3. To extend the dispositive motion hearing date from April 6, 2017 to June 15, 2017.
4. To extend the final pretrial conference from July 27, 2017 to October 5, 2017 at 2:00 p.m.
5. To extend the trial date from October 16, 2017 to January 16, 2018 at 9:00 a.m.

Dated: November 30, 2016

SHADES OF GRAY LAW GROUP, P.C.
NAOMI JANE GRAY

/s/ Naomi Jane Gray
Naomi Jane Gray
Attorney for Plaintiff
Cengage Learning, Inc.

1 Dated: November 30, 2016

OPPENHEIM + ZEBRAK, LLP

2 /s/ Matthew J. Oppenheim

3 Matthew J. Oppenheim

4 Julie Chen

Attorneys for Plaintiff

5 Dated: November 30, 2016

HUGHEY LAW GROUP

6 /s/ Galen M. Gentry

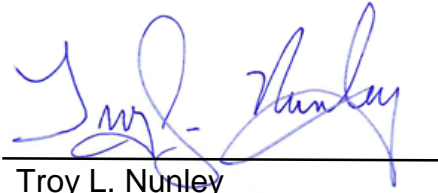
7 Kevin Hughey

8 Galen M. Gentry

9 Attorneys for Defendants

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11 IT IS SO ORDERED.

12 Dated: December 5, 2016

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16 Troy L. Nunley

17 United States District Judge