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17 Attorney for Plaintiffs,
 18 **GOLDEN STATE TRUCK SALES, INC. and**
 19 **DHARMINDER SINGH**

20 **UNITED STATES DISTRICT COURT**
 21 **EASTERN DISTRICT OF CALIFORNIA**

22 **GOLDEN STATE TRUCK SALES, INC.,**
 23 a California corporation;
 24 **DHARMINDER SINGH, an individual,**

25 Plaintiffs,

26 v.

27 **BAY TRAILER SALES, LLC, a**
 28 Virginia limited liability company;
JONATHAN EMDE, an individual;
 and **DOES 1-25, inclusive,**

Defendants.

Case No.: 2:16-cv-00580

**STIPULATED JOINT REQUEST TO
 MODIFY PRETRIAL SCHEDULING
 ORDER**

Plaintiffs Golden State Truck Sales, Inc. and Dharminder Singh (“Plaintiffs”), and
 Defendants Bay Trailer Sales, LLC and Jonathan Emde (“Defendants”), having met and

1 conferred, hereby jointly request, based on the showing of good cause discussed herein, that the
2 Court modify the Pretrial Scheduling Order by vacating the deadline to disclose expert witnesses,
3 which is presently set for April 13, 2017, and resetting the deadline to disclose expert witnesses
4 to July 31, 2017.

5 **I. GOOD CAUSE EXISTS TO MODIFY THE PRETRIAL SCHEDULING**
6 **ORDER**

7 On May 20, 2016, the parties submitted a Joint Status Report (Docket #9) pursuant to
8 the Court's March 21, 2016 Order Requiring Joint Status Report (Docket #3). In their Joint
9 Status Report, the Parties proposed January 27, 2017 as the deadline to make initial expert
10 disclosures and February 24, 2017 as the deadline to name rebuttal experts.

11 On July 19, 2016, this Court issued its Pretrial Scheduling Order. See Docket #11. This
12 Pretrial Scheduling Order established the deadline to disclose expert witnesses as April 13, 2017
13 and provided a thirty (30) day period following the initial disclosure of expert witnesses to name
14 rebuttal witnesses.

15 On February 23, 2017, the Parties, via counsel, engaged in a Settlement Conference
16 before Judge Brennan. At that Conference, the Parties agreed to cooperate to accomplish the
17 sale of certain assets, the successful disposal of which will enable the parties to have more
18 productive settlement communications in the near future. To that end, Judge Brennan consented
19 to continuing the Settlement Conference to May 4, 2017 at 10:00 a.m., at which point the parties
20 will continue to engage in good faith settlement discussions.

21 Since the initial Settlement Conference, the Parties have made progress in the sale of
22 those certain assets. Nevertheless, more time is necessary to complete those efforts. The
23 Parties and their counsel believe that, unless and until those assets are sold – or alternatively it
24 becomes clear the assets will not be sold – the engagement of expert witnesses would be
25 premature and potentially wasteful.

26 The Parties and their counsel therefore believe and submit that good cause exists for a
27 modification of the current Pretrial Scheduling Order. The modification will allow both parties
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1 to focus their efforts and budget toward settlement of the matter. Accordingly, Plaintiffs and
2 Defendants jointly request the Court modify the Pretrial Scheduling Order to vacate the deadline
3 to disclose expert witnesses, which is presently set for April 13, 2017, and reset the deadline to
4 disclose expert witnesses to July 31, 2017. This modification will not disrupt Trial in this
5 matter, which is presently scheduled to begin on March 5, 2018.

6 No other changes – including the thirty (30) day period following the initial disclosure
7 of expert witnesses to name rebuttal witnesses – to the Pretrial Scheduling Order are requested
8 at this time.

9 **II. CONCLUSION**

10 For the foregoing reasons, the Parties jointly request the Court modify the Pretrial
11 Scheduling Order to vacate the deadline to disclose expert witnesses, which is presently set for
12 April 13, 2017, and reset the deadline to disclose expert witnesses to July 31, 2017.

13
14 Respectfully submitted,
15 Date: April 12, 2017 FOOS GAVIN LAW FIRM, P.C.

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17
18 By: /s/ Sean Gavin
19 Sean Gavin (SBN: 251124), Attorney for Plaintiffs,
20 GOLDEN STATE TRUCK SALES, INC. and
21 DHARMINDER SINGH

22 Date: April 12, 2017 LEWIS BRISBOIS BISGAARD & SMITH LLP

23
24
25 By: /s/ Maren MacAdam
26 John S. Poulos
27 Maren MacAdam
28 Attorney for BAY TRIAL SALES, LLC and
JONATHAN EMDE

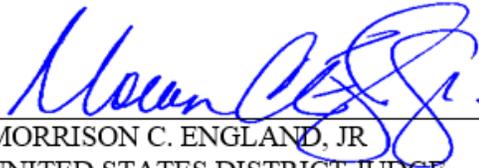
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ORDER

Good cause appearing, the Court hereby modifies to Pretrial Scheduling Order as follows: the deadline to disclose expert witnesses, which is presently set for April 13, 2017, is vacated. The new deadline to disclose expert witnesses is July 31, 2017. All other dates in the Pretrial Scheduling Order and the Supplemental Pretrial Scheduling Order remain unchanged.

IT IS SO ORDERED.

Dated: April 18, 2017


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE