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15 **UNITED STATES DISTRICT COURT**
 16 **EASTERN DISTRICT OF CALIFORNIA**

17 GOLDEN STATE TRUCK SALES, INC.,
 18 a California corporation;
 19 DHARMINDER SINGH, an individual,

Case No.: 2:16-cv-00580

**STIPULATED JOINT REQUEST AND
 ORDER**

20 Plaintiffs,

21 v.

22 BAY TRAILER SALES, LLC, a
 23 Virginia limited liability company;
 24 JONATHAN EMDE, an individual;
 and DOES 1-25, inclusive,

25 Defendants.

26
 27 Plaintiffs Golden State Truck Sales, Inc. and Dharminder Singh (“Plaintiffs”), and
 28 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 vacate the deadline to disclose expert witnesses, which is presently set for July 31, 2017,
3 and reset the deadline to disclose expert witnesses to September 28, 2017.

4 **I. GOOD CAUSE EXISTS TO CONTINUE THE DATE FOR DISCLOSING**
5 **EXPERTS**

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

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

14 On February 23, 2017, the Parties, via counsel, engaged in a Settlement Conference
15 before Judge Brennan. At that Conference, the Parties agreed to cooperate to accomplish the
16 sale of certain assets, the successful disposal of which will enable the parties to have more
17 productive settlement communications in the near future. To that end, Judge Brennan consented
18 to continuing the Settlement Conference to May 4, 2017. This conference has been further
19 continued to September 5, 2017 at which point the parties will continue to engage in good faith
20 settlement discussions. See Docket #23.

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 further continuation of the deadline to disclose expert witnesses. This will allow both parties to
28

1 focus their efforts and budget toward settlement of the matter. Accordingly, Plaintiffs and
2 Defendants jointly request the Court vacate the deadline to disclose expert witnesses, which is
3 presently set for July 31, 2017, and reset the deadline to disclose expert witnesses to September
4 28, 2017. This change will not disrupt Trial in this matter, which is presently scheduled to
5 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 vacate the deadline to
11 disclose expert witnesses, which is presently set for July 31, 2017, and reset the deadline to
12 disclose expert witnesses to September 28, 2017.

13
14 DATED: August 1, 2017

LEWIS BRISBOIS BISGAARD & SMITH LLP

15
16 By: /s/ Maren MacAdam

17 John S. Poulos
18 Maren MacAdam
19 Attorneys for Defendants
20 BAY TRAILER SALES, LLC and
JONATHAN EMDE

21 DATED: August 1, 2017

FOOS GAVIN LAW FIRM, P.C.

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23 By: /s/ Sean Gavin

24 Sean Gavin, Attorneys for Plaintiffs
25 GOLDEN STATE TRUCK SALES, INC. and
26 DHARMINDER SINGH
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ORDER

Good cause appearing, the Court orders as follows: the deadline to disclose expert witnesses, which is presently set for July 31, 2017, is VACATED. The new deadline to disclose expert witnesses is September 28, 2017. All other dates in the Pretrial Scheduling Order and the Supplemental Pretrial Scheduling Order remain unchanged.

IT IS SO ORDERED.

Dated: August 7, 2017


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE