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13
 14 UNITED STATES DISTRICT COURT FOR THE
 15 EASTERN DISTRICT OF CALIFORNIA
 16

17 PHH MORTGAGE CORPORATION,

18 Plaintiff,

19 vs.

20 BARRETT, DAFFIN, FRAPPIER, TREDER
 & WEISS, LLP, and its constituent partners,
 21 ROBERT E. WEISS, CRIS A.
 KLINGERMAN, EDWARD A. TREDER,
 22 BRIAN ENGEL, JAMES C. FRAPPIER and
 STEVE P. TURNER,

23 Defendants.
 24

Civil Action No. 2:16-cv-00832-KJM-EFB

**STIPULATION AND [PROPOSED]
 ORDER EXTENDING THE DEADLINES
 FOR EXPERT WITNESS DISCLOSURE
 AND DISPOSITIVE MOTIONS**

Judge: Honorable Kimberly J. Mueller

Complaint
 Filed: October 12, 2015
 Final Pre-Trial
 Conference: September 8, 2017
 Trial: October 23, 2017

26 TO THE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

27 Pursuant to Eastern District Local Rule 144 and the Honorable Kimberly J. Mueller's
 28 Standing Order (Dkt. No. 34-1), defendant Barrett Daffin Frappier Treder & Weiss, LLP, and

1 plaintiff PHH Mortgage Corporation submit this stipulation and proposed order to extend the
2 deadlines for expert witness disclosure and dispositive motions, as currently set forth in the
3 Honorable Kimberly J. Mueller’s December 12, 2016, Minute Order (Dkt. No. 51).¹ In
4 accordance with the Honorable Kimberly J. Mueller’s Standing Order:

5 (A) The existing deadlines for expert witness disclosure and dispositive motions are as
6 follows:

7 DISCLOSURE OF EXPERT WITNESSES

8 Disclosure of Expert Witnesses March 8, 2017;

9 Disclosure of Supplemental Expert Witnesses March 28, 2017;

10 Expert Discovery April 25, 2017;²

11 DISPOSITIVE MOTIONS

May 23, 2017.

12 (B) There is good cause for the Court to grant this extension because counsel for
13 plaintiff PHH Mortgage Corporation and defendant Barrett Daffin Frappier Treder & Weiss, LLP
14 are currently exploring settlement options and would like to continue these options before they
15 engage in extensive expert discovery. As such, the parties request that the Court extend the
16 upcoming expert disclosure deadline for thirty (30) days. Additionally, the parties request that the

17 _____
18 ¹ On December 12, 2016, the Honorable Kimberly J. Mueller issued a Minute Order (Dkt.
19 No. 51) extending the deadlines for discovery, expert witness disclosure, and dispositive motions
20 by thirty-two (32) days. These deadlines were previously set forth in the Status (Pretrial
Scheduling) Order (Dkt. No. 46), which was signed by the Honorable Kimberly J. Mueller on
July 19, 2016.

21 ² In the Status (Pretrial Scheduling) Order (Dkt. No. 46), signed on July 19, 2016, the
22 Honorable Kimberly J. Mueller stated that (1) expert witnesses must be disclosed not later than
23 February 3, 2017, (2) supplemental expert witnesses must be disclosed not later than February 24,
24 2017, and (3) “[a]ll expert discovery shall be completed by March 24, 2017.” In the December 12,
25 2016, Minute Order (Dkt. No. 51), the Honorable Kimberly J. Mueller extended those first two
26 deadlines (the expert witness disclosure deadline and the supplemental expert witness disclosure
27 deadline). However, the Honorable Kimberly J. Mueller did not address the third deadline (the
28 date that all expert discovery must be completed) in the December 12, 2016, Minute Order (Dkt.
No. 51). Because the Honorable Kimberly J. Mueller extended all the other deadlines by thirty-
two (32) days, per the parties’ stipulation, the parties presume that the Honorable Kimberly J.
Mueller also extended the date that “[a]ll expert discovery must be completed by” thirty-two (32)
days (from March 24, 2017 to April 25, 2017).

1 Court extend the deadline for dispositive motions due to its proximity to the expert disclosure
2 deadline.

3 (C) On December 9, 2016, the parties filed a stipulation requesting a thirty-two (32)
4 day extension of the deadlines for discovery, expert witness disclosure, and dispositive motions.
5 On December 12, 2016, the Honorable Kimberly J. Mueller issued a Minute Order, granting the
6 parties' request for an extension.

7 THEREFORE, pursuant to this stipulation, Eastern District Local Rule 144, and the
8 Honorable Kimberly J. Mueller's Standing Order, the parties respectfully request the Court enter
9 an order extending the deadlines for expert witness disclosure and dispositive motions thirty (30)
10 days as follows:
11

12 DISCLOSURE OF EXPERT WITNESSES

13 Disclosure of Expert Witnesses April 7, 2017;

14 Disclosure of Supplemental Expert Witnesses April 27, 2017;

15 Expert Discovery May 25, 2017;

16 DISPOSITIVE MOTIONS June 22, 2017.
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18 All other dates and deadlines not identified herein shall remain as scheduled in the
19 Honorable Kimberly J. Mueller's Status (Pretrial Scheduling) Order (Dkt. No. 46).

20 Dated: February 23, 2017

KIEVE LAW OFFICES

21
22 By: /s/ Loren Kieve

LOREN KIEVE (SBN 56280)

Counsel for PHH Mortgage Corporation

23
24 Dated: February 23, 2017

HANSEN, KOHLS, SOMMER & JACOB,
LLP

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