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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAMSBURG NATIONAL
INSURANCE COMPANY

Plaintiff,

v.

ROCKET ENGINEERING CORP.,

Defendant.

No. 2:16-cv-1052-KJM-KJN

ORDER

On May 23, 2017, the court conducted an informal telephonic discovery conference in this matter. At the conference, attorney Susan Welde appeared on behalf of plaintiff, and attorney Will Skinner appeared on behalf of defendant. After carefully considering the parties' joint statement regarding their discovery disagreement and further discussion with the parties at the conference, IT IS HEREBY ORDERED that:

1. Defendant's motion to compel (ECF No. 10) is GRANTED on the terms outlined in this order.
2. The fact discovery completion deadline is extended for the limited purpose of allowing defendant's expert to conduct a non-destructive examination/inspection¹ of

¹ Defendant has proposed a protocol for the examination/inspection. (See ECF No. 10-1, Ex. 4.) The parties are directed to promptly meet and confer in good faith to reach agreement regarding

1 the aircraft equipment at issue in his laboratory in Vancouver, British Columbia.

2 Because it is anticipated that the equipment will be shipped to Vancouver, examined,
3 and returned to plaintiff prior to the June 5, 2017 expert witness disclosure deadline,
4 this brief, limited extension will not impact other deadlines in the operative scheduling
5 order.

6 3. Defendant shall bear the cost of packaging and shipping the equipment to and from
7 Vancouver, British Columbia, and shall maintain a proper chain of custody for the
8 equipment.

9 4. Defendant shall videotape the entire examination/inspection, starting from the
10 unpacking of the equipment at defendant's expert's laboratory through repacking the
11 equipment for its return to plaintiff, and shall provide plaintiff with a copy of the
12 videotape.

13 5. Plaintiff's counsel and/or plaintiff's experts may attend the examination/inspection by
14 defendant's expert at their own cost.

15 6. The May 25, 2017 formal hearing on this matter is VACATED as moot.

16 IT IS SO ORDERED.

17 Dated: May 24, 2017

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19 _____
20 KENDALL J. NEWMAN
21 UNITED STATES MAGISTRATE JUDGE
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28 an acceptable examination/inspection protocol.