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7 Attorneys for Defendant  
 SWIFT TRANSPORTATION CO. OF ARIZONA,  
 8 LLC

9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

12 JAMES HUDSON,  
 13 Plaintiff,  
 14 v.  
 15 SWIFT TRANSPORTATION CO. OF  
 ARIZONA, LLC, and DOES 1 through 50,  
 16 inclusive,  
 17 Defendant.

Fed. Case No. 2:16-CV-01291-MCE-DB  
 [Honorable Morrison C. England, Jr.]

**JOINT STIPULATION AND PROPOSED  
 ORDER TO EXTEND DEADLINE TO  
 COMPLETE FACT DISCOVERY SET  
 FORTH IN COURT’S PRE-TRIAL  
 SCHEDULING ORDER**

Trial Date:  
 Time:  
 Courtroom:

19 TO THE COURT, AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:  
 20 Plaintiff JAMES HUDSON (“Plaintiff”) and Defendant SWIFT TRANSPORTATION  
 21 CO. OF ARIZONA, LLC (“Defendant”) by and through their counsel of record in this action,  
 22 hereby agree and stipulate as follows:

- 23 1. Defendant Swift has served written discovery on Plaintiff to investigate his claims  
 24 including interrogatories and requests for production of documents. These responses were due in  
 25 January 2017.
- 26 2. Counsel for Plaintiff requested an extension to comply with these discovery  
 27 requests due in part based on his inability to communicate with Mr. Hudson. Defendant Swift  
 28 agreed to a 30-day extension of time for Plaintiff to respond to the discovery requests. Responses

1 are now due on or before February 20, 2017.

2 3. In addition, counsel for Swift noticed Plaintiff James Hudson's deposition for  
3 February 13, 2017. However, counsel for Plaintiff has advised that Mr. Hudson is not available  
4 on this date for deposition in California. Counsel for Plaintiff has further advised that Mr.  
5 Hudson will not be available for deposition in California for at least the next two months.

6 4. Counsel for both parties have worked diligently and cooperatively to complete fact  
7 discovery. After the Complaint was filed, Plaintiff James Hudson relocated from California to  
8 Arkansas. This relocation has made it more difficult for counsel for Plaintiff to communicate  
9 with Mr. Hudson, to complete fact discovery, and to arrange for Mr. Hudson's deposition.

10 5. Mr. Hudson is currently employed, and he is the sole source of income for his  
11 family. At the present time, he lacks sufficient funds or time off from work to travel to California  
12 for deposition. Therefore, counsel for the parties respectfully request additional time to complete  
13 fact discovery, to complete expert discovery, and to prepare for mediation or trial.

14 6. The parties have agreed to participate in private mediation with Ramsay "Buzz"  
15 Wiesenfeld of Judicate West in Sacramento, California within the next 90-120 days, provided that  
16 Plaintiff is available for deposition during that same time period.

17 7. Based on the foregoing reasons, and for good cause shown, counsel for the parties  
18 stipulate to a continuance of the deadline for the close of fact discovery by 180 days, or from 365  
19 to 545 days from the date the matter was removed to federal court.

20 8. The notice of removal was filed with this Court on June 10, 2016. The previous  
21 deadline for completion of fact discovery was June 9, 2017. With the Court's approval, the new  
22 deadline for completion of fact discovery will be December 6, 2017.

23 9. Pursuant to the Court's previous pre-trial orders, the deadline for the disclosure of  
24 expert witnesses is no later than sixty (60) days after the close of discovery. With a deadline of  
25 December 6, 2017, the deadline for expert disclosure is February 3, 2018. Within thirty (30) days  
26 after the designation of expert witnesses, any party may designate a supplemental list of expert  
27 witnesses.

1           10. Pursuant to the Court's previous pre-trial orders, the deadline for filing a  
2 dispositive motion is no later than one hundred eighty (180) days after the close of discovery.  
3 With a deadline of December 6, 2017 for the completion of fact discovery, the deadline for filing  
4 a dispositive motion will be on or before June 2, 2018.

5           11. Pursuant to the Court's previous pre-trial orders, if a dispositive motion is filed,  
6 the parties must file a Joint Notice of Trial Readiness not later than 30 days after receiving the  
7 Court's ruling on the last filed dispositive motion. If no dispositive motions are filed, the parties  
8 must file a Joint Notice of Trial Readiness not later than thirty (30) days after the close of the  
9 discovery. Thus, if no dispositive motions are filed, a Notice of Trial Readiness must be filed on  
10 or before January 5, 2018.

11           12. This brief extension of the deadline for fact discovery will give the parties  
12 sufficient time to complete fact discovery, complete expert discovery, and prepare for ADR  
13 and/or trial.

14           13. It is submitted that there would be no prejudice to any of the parties by continuing  
15 these deadlines.

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**IT IS SO STIPULATED:**

Dated: February 15, 2017

ARCHER NORRIS

*/s/ Chad D. Greeson*

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Derek H. Lim  
Chad D. Greeson  
Attorneys for Defendant SWIFT  
TRANSPORTATION CO. OF ARIZONA,  
LLC

Dated: February 15, 2017

T. JAMES FISHER

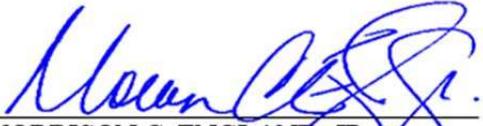
*/s/ T. James Fisher*

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T. James Fisher  
Attorneys for Plaintiff

**IT IS SO ORDERED.**

**Dated: February 27, 2017**



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MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE