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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
10 **SACRAMENTO DIVISION**

11 TELEVISION EDUCATION, INC.)	Case No. 2:16-cv-01433-WBS-EFB
)	
12 Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER GRANTING PLAINTIFF
13 vs.)	TELEVISION EDUCATION, INC. LEAVE
)	TO FILE A SECOND AMENDED
14 CONTRACTORS INTELLIGENCE SCHOOL,)	COMPLAINT AND MODIFYING
INC.; CONTRACTORS PUBLISHER, INC.;)	SCHEDULING ORDER
15 LEONID VORONTSOV; OKSANA)	
VORONTSOV; and DOES 1-25,)	
)	<hr/>
16 Defendants.)	
)	Trial Date: Not yet set
17)	Date Action Filed: June 23, 2016
18)	
19)	
20)	

21 Plaintiff Television Education, Inc. ("Television Education") and Defendants Contractors
22 Intelligence School, Inc.; Contractors Publisher, Inc.; Leonid Vorontsov and Oksana Vorontsov
23 ("Defendants"), by and through their undersigned counsel of record, hereby stipulate as follows
24 and propose that the Court enter an order consistent with the terms present.

25 **RECITALS**

26 **WHEREAS**, on June 23, 2016, Television Education filed its Complaint for Copyright
27 Infringement and Demand for Jury Trial against initial Defendants Contractors Intelligence School,

1 Inc. and Contractors Publisher, Inc.

2 **WHEREAS**, on September 22, 2016, Television Education filed its First Amended
3 Complaint for Copyright Infringement and Demand for Jury Trial (“FAC”) against Defendants.

4 **WHEREAS**, the parties thereafter engaged in the Rule 26(f) conference and filed a joint
5 status report on October 10, 2016.

6 **WHEREAS**, at the time the joint status report was filed, the claims in the FAC were for
7 alleged copyright violations arising from three manuals created by defendants which Television
8 Education claimed were copied from its manuals, three other Television Education manuals of
9 which Television Education claimed defendants had made unlawful photocopies, and one law-and-
10 business exam preparation course for which defendants Leonid and Oksana Vorontsov had
11 obtained a copyright registration which Television Education claimed were copied from its practice
12 tests.

13 **WHEREAS**, Television Education served requests for production of documents on
14 defendants seeking all manuals and tests used by defendants (“the Test Materials Requests”) on
15 November 3, 2016.

16 **WHEREAS**, defendants initially objected to the Test Materials Requests, and the parties
17 met and conferred regarding those objections until Television Education filed a motion to compel
18 as to the Test Materials Requests (and other issues) on January 25, 2017.

19 **WHEREAS**, after the motion to compel was filed, the parties met and conferred further,
20 and defendants Contractors Intelligence School, Inc. and Contractors Publisher, Inc. ultimately
21 agreed to produce documents in response to the Test Materials Requests, which (among other
22 agreements) resulted in Television Education dropping the motion to compel.

23 **WHEREAS**, on and between February 24 and April 7, 2017, Television Education
24 received the documents produced in response to the Test Materials Requests, and after reviewing
25 them intends to assert additional claims based on certain of the materials produced.

26 **WHEREAS**, the parties agree that it would prevent unnecessary waste of the parties’
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1 efforts and judicial resources for Television Education to bring those claims in this action, in a
2 Second Amended Complaint, rather than a new, separate lawsuit.

3 **WHEREAS**, the parties agree that given the significant expansion of issues in the case due
4 to the further amendment of the FAC, additional time is necessary and justified by good cause for
5 the parties to complete fact and expert witness discovery. Among other changes, the proposed
6 Second Amended Complaint adds copyright claims based on several additional manuals and
7 practice tests. The parties agree that a continuance of approximately 120 days (17 or 18 weeks)
8 should permit sufficient time to complete fact and expert witness discovery and other pretrial
9 preparations.

10 **WHEREAS**, pursuant to the Status (Pretrial Scheduling) Order filed October 19, 2016 (as
11 amended on February 14, 2017), the deadline for the parties to disclose experts and produce
12 reports in accordance with Federal Rule of Civil Procedure 26(a)(2) is May 1, 2017, and the parties
13 now agree that such deadline should be extended to August 28, 2017; the deadline to disclose
14 rebuttal experts is May 30, 2017, and the parties now agree that such deadline should be extended
15 to September 25, 2017; the deadline for the parties to complete fact discovery is May 31, 2017,
16 and to complete expert discovery only is June 30, 2017, and the parties agree that such deadlines
17 should be extended to a single deadline of October 27, 2017 ; that the deadline to file motions is
18 now July 31, 2017, and the parties agree that such deadline should be extended to December 4,
19 2017; that the date of the final pretrial conference is now October 10, 2017, and that date should be
20 re-set to a date available for the Court on or after February 12, 2018; and the date for trial is now
21 December 5, 2017, and that date should be re-set to a date available for the Court on or after April
22 10, 2018.

23 **NOW, THEREFORE**, Television Education and Defendants stipulate that good cause
24 exists for the Court to enter an Order granting Television Education leave to file the Second
25 Amended Complaint, a true and correct copy of which is attached hereto as **Exhibit A**, and to enter
26 an Order modifying the Status (Pretrial Scheduling) Order so that the deadline to disclose experts
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1 shall be extended to August 28, 2017; the deadline to disclose rebuttal experts shall be extended to
2 September 25, 2017; and the deadline to complete all discovery shall be extended to October 27,
3 2017; that the deadline to file motions should be extended to December 4, 2017; that the date of the
4 final pretrial conference should be re-set to a date available for the Court on or after February 12,
5 2018; and the date for trial should be re-set to a date available for the Court on or after April 10,
6 2018.

7
8 **SO STIPULATED**

9
10 DATED: April 12, 2017

BOUTIN JONES INC.

11 By: /s/ MICHAEL E. CHASE
12 MICHAEL E. CHASE
13 BASHAR AHMAD

14 Attorneys for Plaintiff Television Education, Inc.

15
16 DATED: April 12, 2017

TINGLEY LAW GROUP, PC

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19 By: /s/ STEPHEN D. COLLINS (AS AUTHORIZED ON
20 APRIL 11, 2017)
21 STEPHEN D. COLLINS
22 KEVIN W. ISAACSON

23 Attorneys for Defendants
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ORDER

IT IS ORDERED that Plaintiff Television Education, Inc. ("Television Education") is granted leave to file the Second Amended Complaint for Copyright Infringement and Demand for Jury Trial ("Second Amended Complaint"). Television Education shall file the Second Amended Complaint within twenty (20) days of entry of this Order.

IT IS FURTHER ORDERED that the Status (Pretrial Scheduling) Order is modified so that the deadline to disclose experts is extended to **8/28/2017**; the deadline to disclose rebuttal experts is extended to **9/25/2017**; and the deadline to complete all discovery is extended to **10/27/2017**; that the deadline to file motions is extended to **12/4/2017**; that the date of the final pretrial conference is re-set to **2/12/2018 at 1:30 p.m.**; and the date for trial is re-set to **4/10/2018 at 9:00 a.m.**

IT IS SO ORDERED

Dated: April 12, 2017



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE