1 2 3 4 5 6 7 8 9 10 11	Maurice Fitzgerald (SBN: 149712) Robert E. Cartwright, Jr. (SBN: 104284) The Cartwright Law Firm, Inc. 222 Front Street, Fifth Floor San Francisco, CA 94111 Attorneys for Plaintiff GEORGE WESTBROOK Jason A. Geller [SBN 168149] Email: jgeller@fisherphillips.com Annie Lau [SBN 302438] Email: <u>alau@fisherphillips.com</u> FISHER & PHILLIPS LLP One Embarcadero Center, Suite 2050 San Francisco, CA 94111 Tel: (415) 490-9000 Fax: (415) 490-9001 Attorneys for Defendant BALL METAL BEVERAGE CONTAINER	CORP.			
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14	THE UNITED STATES DISTRICT COURT				
15	FOR THE EASTERN DISTRICT OF CALIFORNIA				
16	SACRAMENTO DIVISION				
17	GEORGE WESTBROOK,	Case No. 2:16 CV 01560 WDS CVD			
18	Plaintiff(s),	Case No. 2:16-CV-01569-WBS-CKD			
19		JOINT STIPULATION RE: CONTINUATION OF DISCOVERY			
20	VS.	DEADLINES AND ORDER			
21	BALL METAL BEVERAGE CORP., a Colorado corporation; and Does 1-100, inclusive;	[Originally Solano County Superior Court Action No. FCS047162]			
22					
23	Defendant(s).	Removal Date: July 8, 2016 Trial Date: TBD			
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	JOINT STIPULATION RE CONTINUATION OF DISCOVERY DEADLINES AND [PROPOSED] ORDE				

JOINT STIPULATION RE CONTINUATION OF DISCOVERY DEADLINES AND [PROPOSED] ORDER FPDOCS 32843296.1

1	TO THE U.S. DISTRICT COURT, ALL PARTIES AND THEIR ATTORNEYS OF				
2	RECORD:				
3	Plaintiff GEORGE WESTBROOK ("Plaintiff") and Defendant BALL METAL				
4	BEVERAGE CONTAINER CORP. ("Defendant"), by and through their respective counsel,				
5	hereby submit this Joint Stipulation pursuant to Federal Rule of Civil Procedures ("Fed. R. Civ.				
6	P.") 29 and Local Rules ("L.R.") 143, 144, and 230(f) and respectfully request that the Court issue				
7	an order granting this stipulation as set forth below pursuant to Fed. R. Civ. P. 29.				
8	WHEREAS, on October 31, 2016, the Court issued a Status (Pretrial Scheduling) Order				
9	(Doc. 5) that established all discovery deadlines and set a jury trial for February 6, 2018 in this				
10	action;				
11	WHEREAS, lead counsel for Defendant was engaged in a lengthy trial from November				
12	2016 until mid-February 2017.				
13	WHEREAS, the Parties desire additional time for the completion of discovery.				
14	WHEREAS, the Parties desire additional time to consider alternative dispute resolution.				
15	WHEREAS, the joint stipulation is not entered into with the intent to delay. By continuing				
16	the discovery and motion deadlines as set forth above, and continuing trial, there is no prejudice to				
17	any party.				
18	WHEREAS, good cause exists for granting the Parties' request to extend the following				
19	deadlines and continue the trial date in accordance with Fed. R. Civ. P. 29.				
20	NOW, WHEREFORE, for the foregoing reasons and for good cause shown, the requested				
21	stipulated deadline continuances are as follows:				
22	a) The completion of non-expert discovery shall be extended from July 27, 2017 to				
23	September 26, 2017.				
24	b) The deadline to notice all motions to compel non-expert discovery shall be				
25	extended from July 27, 2017 to September 26, 2017.				
26	c) Extend expert disclosures in accordance with Federal Rule of Civil Procedure				
27	26(a)(2) from May 26, 2017 to October 10, 2017.				
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	JOINT STIPULATION RE CONTINUATION OF DISCOVERY DEADLINES AND [PROPOSED] ORDER				

 5 November 30, 2017. 6 g) The deadline to file all motions, except for continuances, temporary rest orders, or other emergency applications, shall be extended from September 25, 2017 to Nov 30, 2017. 9 THEREFORE, the Parties hereby stipulate and agree to extend the aforement 					
 e) The completion of expert discovery shall be November 30, 2017. f) The deadline to notice all motions to compel expert discovery shall be expert 30, 2017. g) The deadline to file all motions, except for continuances, temporary rest orders, or other emergency applications, shall be extended from September 25, 2017 to Nov 30, 2017. THEREFORE, the Parties hereby stipulate and agree to extend the aforeme discovery deadlines as noted above. The dates for Final Pretrial Conference and Trial shall the same. Date: May 10, 2017 THE CARTWRIGHT FIRM, INC. <i>S/ Maurice Fitzgerald</i> Maurice Fitzgerald Robert E. Cartwright, Jr. Attorneys for Plaintiff GEORGE WESTBROOK Date: May 10, 2017 FISHER & PHILLIPS LLP Date: May 10, 2017 FISHER & PHILLIPS LLP TI IS SO ORDERED, with modification above. Dated: May 12, 2017 CAROLYN K, DELANEY UNITED STATES MAGISTRATE JUDGE 	eral R	Rule	of Civil		
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