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 PINNACLE PROPERTY MANAGEMENT
 15 SERVICES, LLC and PINNACLE PROPERTY
 MANAGEMENT SERVICES PIER 70

17 **UNITED STATES DISTRICT COURT**
 18 **EASTERN DISTRICT OF CALIFORNIA**

20 BRENNNA CALLAHAN,
 21 Plaintiff,
 22 vs.

23 PINNACLE PROPERTY MANAGEMENT
 24 SERVICES, LLC, a Delaware Limited Liability
 Company; PINNACLE PROPERTY
 25 MANAGEMENT SERVICES PIER 70, a
 business organization, form unknown; and
 26 DOES 1 to 100, inclusive,
 27 Defendants.

Case No. 2:16-cv-01862-MCE-EFB

**JOINT STIPULATION TO VACATE
 DATES IN EXISTING PRETRIAL
 SCHEDULING ORDER AND RE-ISSUE
 UPDATED PRETRIAL SCHEDULING
 ORDER AFTER COMPLETION OF
 VOLUNTARY DISPUTE RESOLUTION
 PROGRAM (VDRP); ORDER**

Complaint Filed: 06/23/2016
 Removal Filed: 08/05/2016
 Trial Date: TBA

1 WHEREAS, PINNACLE PROPERTY MANAGEMENT SERVICES, LLC and
2 PINNACLE PROPERTY MANAGEMENT SERVICES PIER 70 (collectively referred to as
3 “Defendants”) and BRENNA CALLAHAN (“Plaintiff”) (collectively the “Parties”);

4 WHEREAS, the Court filed its Revised Initial Pretrial Scheduling Order (“Pretrial
5 Scheduling Order”) on August 12, 2016;

6 WHEREAS, due the Parties’ interest in early settlement efforts, the Court granted on
7 October 24, 2016, the Parties’ stipulation to continue the deadline of filing the Rule 26(f)(3)
8 discovery plan (“Discovery Plan”), as mandated by the Pretrial Scheduling Order, to December
9 16, 2016;

10 WHEREAS, the Parties have continued to confer and still mutually desire to explore
11 early resolution of this action and avoid unnecessary expenditure of time and fees on formal
12 litigation;

13 WHEREAS, as a result, the Parties have filed on December 15, 2016, their Stipulation to
14 Elect Referral of Action to Voluntary Dispute Resolution Program Pursuant to Local Rule 271;
15 and

16 WHEREAS, should the Parties not resolve this matter through the VDRP, Plaintiff
17 anticipates filing a Motion to Remand and Defendants anticipate filing a Motion to Compel
18 Arbitration, and the Parties further acknowledge that the granting of either Motion could result in
19 this Court losing jurisdiction over this matter.

20 THEREFORE, good cause exists for this stipulation and order to vacate the dates in the
21 existing Pretrial Scheduling Order and re-issue an updated Pretrial Scheduling Order if resolution
22 efforts through the VDRP are unsuccessful, so that the Parties may explore potential settlement
23 prior to incurring further litigation fees and costs.

24 WHEREFORE, the Parties hereby jointly stipulate and request an order as follows:

25 The dates and deadlines enumerated in the existing Pretrial Scheduling Order are vacated,
26 and an updated Pretrial Scheduling Order will be issued by the Court after the Parties’ completion
27 of the VDRP if the Parties are unable to resolve the matter therein.

28 //

1 **IT IS SO STIPULATED.**

2 Dated: December 16, 2016

Shimoda Law Corp.

3 By: /s/ Galen T. Shimoda

4 GALEN T. SHIMODA
5 ERIKA R. C. SEMBRANO

6 Attorneys for Plaintiff
7 BRENNAN CALLAHAN

8 Dated: December 16, 2016

JACKSON LEWIS P.C.

9 By: /s/ Heath A. Havey [as authorized on 12/16/16]

10 JAMES T. JONES
11 HEATH A. HAVEY

12 Attorneys for Defendants
13 PINNACLE PROPERTY MANAGEMENT
14 SERVICES, LLC and PINNACLE PROPERTY
15 MANAGEMENT SERVICES PIER 70

16 **ORDER**


17 FOR GOOD CAUSE SHOWN AND IN ORDER TO PROMOTE SETTLEMENT
18 EFFORTS, IT IS HEREBY ORDERED AS FOLLOWS:

19 The terms of the above Stipulation are hereby approved and adopted. The dates and
20 deadlines enumerated in the existing Pretrial Scheduling Order (ECF No. 5) are vacated, pending
21 the Parties' participation in the VDRP. If the Parties are unable to resolve this matter through the
22 VDRP, this Court will re-issue an updated Pretrial Scheduling Order to the Parties.

23 The parties are further ordered to provide this Court with a Joint Status Report addressing
24 the outcome of the VDRP within 14 days of its conclusion.

25 **IT IS SO ORDERED.**

26 Dated: January 5, 2017

27 
28 MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE