

1 JASON W. SCHAFF, SBN: 244285
 2 JACOB D. FLESHER, SBN: 210565
FLESHER SCHAFF & SCHROEDER, INC.
 2202 Plaza Drive
 3 Rocklin, CA 95765
 Telephone: (916) 672-6558
 4 Facsimile: (916) 672-6602

5 Attorney for Plaintiffs,
 BRIAN NYGAARD: and BKN APPRAISALS. INC.

7 IN THE UNITED STATES DISTRICT COURT
 8 IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA

9 * * *

10 BRIAN NYGAARD; and BKN
 APPRAISALS, INC.,

11 Plaintiffs,

12 vs.

13 PROPERTY DAMAGE APPRAISERS,
 14 INC., a corporation;

15 Defendant.

CASE NO. 2:16-cv-02184-VC

Complaint filed: 8/15/16

Trial Date: 3/1/21

**STIPULATION TO CONTINUE
 DATES SET FORTH IN THIS
 COURT'S SEPTEMBER 19, 2020
 ORDER [DKT. NO. 84]; ~~PROPOSED~~
 ORDER**

*****No further continuances will be granted.**

17 Pursuant to Northern District Local Rules 6-1, 6-2, and 7-12, Plaintiffs Brian K.
 18 Nygaard, an individual doing business as PDA Sacramento and PDA Stockton and BKN
 19 Appraisals, Inc., a California Corporation (collectively, Plaintiffs) and Defendant Property
 20 Damage Appraisers, Inc., a Corporation ("PDA") (both Plaintiff and PDA are collectively
 21 referred to as the "Parties"), by and through their undersigned counsel, submit this
 22 Stipulation to Continue Dates Set Forth in This Court's September 11, 2020 Order [Dkt.
 23 No. 84] in response to the Parties previous Stipulation to Continue Dates [Dkt. No. 80].

24 The Parties continued to engage in meaningful discovery; however, given the Covid-
 25 19 pandemic constraints on document retrieval and the ability to investigate certain
 26 aspects of the case, the parties seek an additional continuance of all dates in this case for
 27 approximately 120 days in order to prepare for trial.

1 The Court previously ordered that the Fact Discovery-Cut Off date is continued
2 from 9/21/2020 to 1/19/2021; the Expert Disclosures shall be continued from 10/5/2020 to
3 2/2/2021; the Expert Rebuttal Reports shall be continued from 10/19/2020 to 2/16/2021; the
4 Expert Discovery Cut-Off shall be continued from 11/2/2020 to 3/2/2021; the last date for a
5 Hearing on Dispositive Motions shall be continued from 12/11/2020 to 4/15/2021; the
6 Pretrial Conference date shall be continued from 2/22/2021 to 6/21/2021; and the Jury
7 Selection and Trial date shall be continued from 3/1/2021 to 6/28/2021.

8 The Parties agree to continue all currently calendared dates for approximately 120
9 days, as follows:

10 Item	Current Date	Proposed Date
11 Fact Discovery Cut-Off	1/19/2021	5/19/2021
12 Expert Disclosure	2/2/2021	6/2/2021
13 Expert Rebuttal	2/16/2021	6/16/2021
14 Expert Discovery Cut-Off	3/2/2021	6/30/2021
15 Hearing on Dispositive Motions	4/9/2021	8/6/2021
16 Pretrial Conference	6/21/2021	10/18/2021
17 Jury Selection and Trial	6/28/2021	10/25/2021

18
19 As required by Local Rule 6-2(a), this stipulation is accompanied by a declaration.
20 Further, this Stipulation is made in good faith and not for the purposes of delay. Finally,
21 pursuant to Local Rule 6-1(b), a Court order “for any enlargement or shortening of time
22 that alters an event or deadline already fixed by Court order” and Local Rule 6-2 permits
23 the Parties to file a stipulation in writing to request “an order changing time that would
24 affect the date of an event or deadline already fixed by this Court order.”

25 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and
26 between the Parties, through their undersigned counsel of records that the Fact Discovery
27 Cut-Off date shall be continued from January 19, 2021 to May 19, 2021; the deadline for
28 Expert Disclosure shall be continued from February 2, 2021 to June 2, 2021; the deadline

1 to serve Expert Rebuttal February 16, 2021 to June 16, 2021; the Expert Discovery Cut-
2 Off date shall be continued from March 2, 2021 to June 30, 2021; the Hearing on
3 Dispositive Motions shall be continued from April 9, 2021 to August 6, 2021; the Pretrial
4 Conference shall be continued from June 21, 2021 to October 18, 2021; and the Jury
5 Selection and Trial date shall be continued from June 28, 2021 to October 25, 2021 or any
6 other date that is reasonable and fits the Court's calendar.

7 DATED: January 13, 2021

FLESHER SCHAFF & SCHROEDER. INC.

8
9 By */s/ Jason W. Schaff*
10 JACOB D. FLESHER
11 JASON W. SCHAFF
12 Attorneys for Plaintiffs
13 Bryan Nygaard and BKN, Appraisals, Inc.

14 DATED: January 13, 2021

DYKEMA GOSSETT. PLLC

15 By */s/ Victor Johnson*
16 VICTOR JOHNSON
17 Attorneys for Defendant
18 Property Damage Appraisers, Inc.

19 **ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)**

20 I, Jason W. Schaff, am the ECF user whose identification and password are being
21 used to file the foregoing Stipulation to Continue Dates Set Forth in This Court's
22 September 11, 2020 Order. I hereby attest that the above-referenced signatories in this
23 Stipulation to Continue Dates Set Forth in This Court's September 11, 2020 Order have
24 concurred in this filing.

25 Date: January 13, 2021

By: */s/ Jason W. Schaff*

26 Jason W. Schaff

