

1 Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, Local Rules 240 and 270, and the
2 Court's Pretrial Scheduling Order, Plaintiff Jose Aranda and Defendant American Pasteurization
3 Company ("Defendant" or "APC") (collectively the "Parties") hereby submit this Stipulation and
4 [Proposed] Order to Modify the Pretrial Scheduling Order. The Parties request that the Court modify
5 the Pretrial Scheduling Order and continue the expert witness disclosure dates by five (5) months as set
6 forth below.

7 **IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES TO THIS ACTION,**
8 through their counsel of record, as follows:

9 1. WHEREAS, on January 24, 2017, this Court issued a Pretrial Scheduling Order (the
10 "Scheduling Order") in this matter.

11 2. WHEREAS, pursuant to the Scheduling Order, the deadline for expert witness
12 disclosures is July 28, 2017, and the deadline for rebuttal expert witness disclosures is August 31, 2017.

13 3. WHEREAS, the Parties' deadline to file and serve motions is November 20, 2017.

14 4. WHEREAS, the Parties anticipate mediating this case in the summer of 2017, and agree
15 that mediation may resolve some or all of the claims at issue in this case.

16 5. WHEREAS, if mediation is unsuccessful in resolving the case in its entirety, Defendant
17 intends to file a dispositive motion on or before the November 20, 2017 deadline, which may dispose of
18 the case or narrow the issues to be addressed at trial.

19 6. WHEREAS, both parties wish to avoid the incurrence of expert witness fees and costs (or
20 rebuttal witness fees and costs), as well as associated written discovery, depositions, and meet and
21 confer efforts, if some or all of the case may be disposed of via settlement or other means.

22 7. WHEREAS, the Parties have met and conferred, and now agree that it is in the best
23 interest of economic and judicial efficiency to continue the expert witness disclosure dates by five (5)
24 months, until after mediation can be completed and summary judgment can be decided.

25 8. WHEREAS, the Parties further agree that good cause exists to continue the expert
26 witness disclosure deadlines, as a continuance is needed to prevent the expenditure of time and resources
27 on experts that may not be needed for trial.

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**


2 The expert witness disclosure deadlines will be continued as follows:

3 Initial expert disclosure: December 22, 2017

4 Rebuttal expert disclosure: January 22, 2018

5 Expert discovery cut-off: February 19, 2018

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7 Dated: February 21, 2017

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9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE