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14
 15 UNITED STATES DISTRICT COURT
 16 EASTERN DISTRICT OF CALIFORNIA

18 JOSE ARANDA,)	Case No. 2:16-cv-02242-WBS-AC
)	
19 Plaintiff,)	AMENDED STIPULATION AND
)	[PROPOSED] ORDER TO MODIFY
20 vs.)	SCHEDULING ORDER
)	
21 AMERICAN PASTEURIZATION COMPANY,)	
22 LLC; and DOES 1 through 100, inclusive,)	Complaint filed: February 18, 2016
23 Defendants.)	
)	
)	
)	

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 Amended Stipulation
4 and [Proposed] Order to Modify the Pretrial Scheduling Order. The Parties request that the Court
5 modify the Pretrial Scheduling Order and continue the expert witness disclosure dates by approximately
6 five (5) months as set 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
24 approximately five (5) months, until after mediation can be completed and summary judgment can be
25 decided.

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

1 **NOW THEREFORE**, the Parties hereto stipulate and agree that the Court may enter an Order
2 continuing the July 28, 2017 and August 31, 2017 expert witness disclosure deadlines as follows:

3 Initial expert disclosure: December 11, 2017

4 Rebuttal expert disclosure: January 2, 2018

5 Expert discovery cut-off: January 19, 2018

6 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

7
8 DATED: February 24, 2017

LAW OFFICES OF LINH T. NGUYEN

9
10 By: /s/ **Linh T. Nguyen** [as authorized on 2/24/2017]
11 Linh T. Nguyen

12 Attorneys for Plaintiff
13 JOSE ARANDA

14 DATED: February 27, 2017

SEYFARTH SHAW LLP

15 By: /s/ **Pamela L. Vartabedian**
16 Nick C. Geannacopulos
17 Ari Hersher
18 Pamela L. Vartabedian

19 Attorneys for Defendant
20 AMERICAN PASTEURIZATION COMPANY,
21 LLC

22 **ATTESTATION PURSUANT TO LOCAL RULE 131**

23 Pursuant to Local Rule 131, I, Pamela Vartabedian, hereby attest that the content of this
24 document is acceptable to Linh T. Nguyen, Counsel for Plaintiff Jose Aranda, and that I have obtained
25 Mr. Nguyen's authorization to affix his electronic signature to this document.

26 Executed this 27th day of February 2017 in San Francisco, CA.

27 /s/ **Pamela L. Vartabedian**
28 Pamela L. Vartabedian

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


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

3 Initial expert disclosure: December 11, 2017

4 Rebuttal expert disclosure: January 2, 2018

5 Expert discovery cut-off: January 19, 2018

6
7 Dated: February 27, 2017

8 
9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE