9696 Culver Boulevard, Suite 302         Culver City, California 90232         Telephone: (310) 785-9116         Facsimile: (310) 785-9149         Email: rhopkins@gascouhopkins.com         Attorneys for Plaintiff         ALLIED WORLD INSURANCE COMPANY         BRITTANY RUPLEY HAEFELE (Bar No. 276208)         WILLIAM L. PORTER (Bar No. 133968)         PORTER LAW GROUP, INC.         7801 Folsom Boulevard, Suite 101         Sacramento, California 95826         Telephone: (916) 381-7880         Email: bporter@porterlaw.com         Email: bporter@porterlaw.com         Email: bporter@porterlaw.com         Attorneys for Defendant         NEW PARADIGM PROPERTY MANAGEMENT, LLC         UNITED STATES DISTRICT COURT         EASTERN DISTRICT OF CALIFORNIA         SACRAMENTO DIVISION         ALLIED WORLD INSURANCE COMPANY, a Delaware corporation,         Plaintiff,         v.         NEW PARADIGM PROPERTY         MANGEMENT LLC a Coliformia         MANGEMENT LLC a Coliformia			
2 GASCOU HOPKINS LLP         9696 Culver Boulevard, Suite 302         Culver City, California 90232         Telephone: (310) 785-9149         Fracsimile: (310) 785-9149         PORTER LAW GROUP, INC.         7801 Folsom Boulevard, Suite 101         Sacramento, California 95826         Telephone: (916) 381-7868         Facsimile: (916	1 RON	NALD W. HOPKINS (Bar No. 100895) SISTIAN I. GASCOLI (Bar No. 209957)	
Culver City, California 90232         Telephone: (310) 785-9116         Facsimile: (310) 785-9149         Emmail: fhopkins/gasecoulopkins.com         Attorneys for Plaintiff         ALLIED WORLD INSURANCE COMPANY         BRITTANY RUPLEY HAEFELE (Bar No. 276208)         WILLIAM L. PORTER (Bar No. 133968)         PORTER LAW GROUP, INC.         7801 Folsom Boulevard, Suite 101         Sacramento, California 95826         Telephone: (916) 381-7868         Facsimile: (916) 381-7880         Emmail: bhacfele@porterlaw.com         Attorneys for Defendant         NEW PARADIGM PROPERTY MANAGEMENT, LLC         UNITED STATES DISTRICT COURT         EASTERN DISTRICT OF CALIFORNIA         SACRAMENTO DIVISION         ALLIED WORLD INSURANCE COMPANY,         a Delaware corporation,         Plaintiff,         v.         Defendants.         NEW PARADIGM PROPERTY         MANAGEMENT, LLC, a California         Corporation, and DOES 1 through 20, inclusive,         Defendants.         NEW PARADIGM PROPERTY         MANAGEMENT, LLC, a California         Corporation,         Plaintiff,         v.         ALLIED WORLD INSURANCE COMPANY,	2    GAS	SCOU HOPKINS LLP	
1       Facsimile: (310) 785-9149         Email: rhopkins@gascouhopkins.com         Attorneys for Plaintiff         ALLIED WORLD INSURANCE COMPANY         BRITTANY RUPLEY HAEFELE (Bar No. 276208)         WILLIAM L. PORTER (Bar No. 133968)         PORTER LAW GROUP, INC.         7801 Folsom Boulevard, Suite 101         Sacramento, California 95826         Telephone: (916) 381-7880         Email: boatefele@porterlaw.com         Email: boatefele@porterlaw.com         Email: boatefele@porterlaw.com         Attorneys for Defendant         NEW PARADIGM PROPERTY MANAGEMENT, LLC         ALLIED WORLD INSURANCE COMPANY,         a Delaware corporation,         Plaintiff,         v.         NEW PARADIGM PROPERTY         MANAGEMENT, LLC, a California         Corporation, and DOES 1 through 20, inclusive,         Defendants.         NEW PARADIGM PROPERTY         MANAGEMENT, LLC, a California         Corporation,         Plaintiff,         v.         ALLIED WORLD INSURANCE COMPANY,         a Delaware corporation, and DOES 1 through         Zuiter Ware corporation, and DOES 1 through         Zuiter Ware corporation, and DOES 1 through         Zuo, inclusive	3 Culv	ver City, California 90232	
ALLIED WORLD INSURANCE COMPANY         BRITTANY RUPLEY HAEFELE (Bar No. 276208)         WILLIAM L, PORTER (Bar No. 133968)         PORTER LAW GROUP, INC.         7801 Folsom Boulevard, Suite 101         Sacramento, California 95826         Telephone: (916) 381-7880         Email: bhaefele@porterlaw.com         Attorneys for Defendant         NEW PARADIGM PROPERTY MANAGEMENT, LLC         UNITED STATES DISTRICT COURT         EASTERN DISTRICT OF CALIFORNIA         Sacrametro corporation,         ALLIED WORLD INSURANCE COMPANY,         a belaware corporation,         Plaintiff,         v.         Defendants.         Case No. 2:16-CV-02992-MCE-GGH         Ex Parte Motion for Request to Modify         Pretrial Order By Stipulation to Extend         Certain Deadlines By An Additional Ninet         Defendants.         NEW PARADIGM PROPERTY         MANAGEMENT, LLC, a California         Corporation, and DOES 1 through 20, inclusive,         Plaintiff,         v.         ALLIED WORLD INSURANCE COMPANY,         a belaware corporation, and DOES 1 through         20, inclusive	⊿    Facs	simile: (310) 785-9149	
BRITTANY RUPLEY HAEFELE (Bar No. 276208)         WILLIAM L. PORTER (Bar No. 133968)         PORTER LAW GROUP, INC.         7801 Folsom Boulevard, Suite 101         Sacramento, California 95826         Telephone: (916) 381-7880         Email: bhorter(aporterlaw.com)         Attorneys for Defendant         NEW PARADIGM PROPERTY MANAGEMENT, LLC         UNITED STATES DISTRICT COURT         EASTERN DISTRICT OF CALIFORNIA         SACRAMENTO DIVISION         ALLIED WORLD INSURANCE COMPANY, a Delaware corporation,         Plaintiff,         v.         NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation, and DOES 1 through 			
WILLIAM L. PORTER (Bar No. 133968) PORTER LAW GROUP, INC.         PORTER LAW GROUP, INC.         7801 Folsom Boulevard, Suite 101 Sacramento, California 95826         Telephone: (916) 381-7860         Fmail: bhaefele:@porterlaw.com         Email: bhaefele:@porterlaw.com         Attorneys for Defendant         NEW PARADIGM PROPERTY MANAGEMENT, LLC         Attorneys for Defendant         NEW PARADIGM PROPERTY         MANAGEMENT, LLC, a California         Corporation, and DOES 1 through         V.         MEW PARADIGM PROPERTY         MANAGEMENT, LLC, a California         Corporation, and DOES 1 through         V.         ALLIED WORLD INSURANCE COMPANY, a Delaware corporation, and DOES 1 through         V.         ALLIED WORLD INSURANCE COMPANY, a Delaware corporation, and DOES 1 through         200, inclusive	0		(208)
Sacramento, California 95826         Telephone: (916) 381-7880         Facsimil: (916) 381-7880         Email: bporter/@porterlaw.com         Attorneys for Defendant         NEW PARADIGM PROPERTY MANAGEMENT, LLC         Imail: bhaefele@porterlaw.com         Email: bhaefele@porterlaw.com         Imail: bhaefele@porterlaw.com         Email: bhaefele@porterlaw.com         Imail: bhaefele@porterlaw.com         Email: bhaefele@porterlaw.com         Imail: bhaefele@porterlaw.com         Imail: bhaefele@porterlaw.com         Extract Court         Extract Court         Imaintiff,         v.         NEW PARADIGM PROPERTY         MANAGEMENT, LLC, a California         Corporation,         Plaintiff,         v.         ALLIED WORLD INSURANCE COMPANY,         a Delaware corporation, and DOES 1 through         200, inclusive	/ WIL POF	LIAM L. PORTER (Bar No. 133968) TER LAW GROUP, INC.	1208)
Facsimile: (916) 381-7880         Email: bporter/aporterlaw.com         Attorneys for Defendant         NEW PARADIGM PROPERTY MANAGEMENT, LLC         Image: Comport of the system of the sys	Sacr	amento, California 95826	
Email: bhaefele@porterlaw.com         Attorneys for Defendant         NEW PARADIGM PROPERTY MANAGEMENT, LLC         Attorneys for Defendant         NEW PARADIGM PROPERTY MANAGEMENT, LLC         ALLIED WORLD INSURANCE COMPANY, a Delaware corporation,         Plaintiff,         v.         NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation, and DOES 1 through 20, inclusive,         Defendants.         NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation, and DOES 1 through 20, inclusive,         Plaintiff,         v.         Defendants.         Case No. 2:17-cv-00552-KJM-CKD (Administratively and consolidated with case 2:16-CV-02992-MCE-GGH)	Facs	simile: (916) 381-7880	
Attorneys for Defendant NEW PARADIGM PROPERTY MANAGEMENT, LLC         UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA SACRAMENTO DIVISION         ALLIED WORLD INSURANCE COMPANY, a Delaware corporation,       Case No. 2:16-CV-02992-MCE-GGH         Plaintiff,       Ex Parte Motion for Request to Modify Pretrial Order By Stipulation to Extend Certain Deadlines By An Additional Ninet Days to Permit Mediation Under the VDR Program         NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation, and DOES 1 through 20, inclusive,       Case No. 2:17-cv-00552-KJM-CKD         NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,       Case No. 2:17-cv-00552-KJM-CKD         NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,       Case No. 2:17-cv-00552-KJM-CKD         NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,       Case No. 2:17-cv-00552-KJM-CKD         ALLIED WORLD INSURANCE COMPANY, a Delaware corporation, and DOES 1 through 200, inclusive       Case No. 2:17-cv-00552-KJM-CKD			
A       EASTERN DISTRICT OF CALIFORNIA         SACRAMENTO DIVISION         ALLIED WORLD INSURANCE COMPANY, a Delaware corporation,       Case No. 2:16-CV-02992-MCE-GGH         F       Plaintiff,       Case No. 2:16-CV-02992-MCE-GGH         V.       Plaintiff,       Ex Parte Motion for Request to Modify Pretrial Order By Stipulation to Extend Certain Deadlines By An Additional Ninet Days to Permit Mediation Under the VDR Program         NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation, and DOES 1 through 20, inclusive,       Case No. 2:17-cv-00552-KJM-CKD (Administratively and consolidated with case 2:16-CV-02992-MCE-GGH)         NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,       Case No. 2:17-cv-00552-KJM-CKD         NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,       Case No. 2:17-cv-00552-KJM-CKD         ALLIED WORLD INSURANCE COMPANY, a Delaware corporation, and DOES 1 through 200, inclusive       Case No. 2:17-cv-02992-MCE-GGH)	Atto		ENT, LLC
ALLIED WORLD INSURANCE COMPANY, a Delaware corporation,       Case No. 2:16-CV-02992-MCE-GGH         7       Plaintiff,       Ex Parte Motion for Request to Modify Pretrial Order By Stipulation to Extend Certain Deadlines By An Additional Ninet Days to Permit Mediation Under the VDR Program         7       Defendants.         7       Defendants.         7       Plaintiff,         7       Plaintiff,         7       Defendants.         7       Plaintiff,         7       Plaintiff,         7       Plaintiff,         7       Plaintiff,         7       Plaintiff,         7       NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,         8       NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,         9       Plaintiff,         7       Plaintiff,         7       ALLIED WORLD INSURANCE COMPANY, a Delaware corporation, and DOES 1 through 200, inclusive	3	UNITED STATES	DISTRICT COURT
ALLIED WORLD INSURANCE COMPANY, a Delaware corporation,       Case No. 2:16-CV-02992-MCE-GGH         Plaintiff,       Ex Parte Motion for Request to Modify Pretrial Order By Stipulation to Extend Certain Deadlines By An Additional Ninet Days to Permit Mediation Under the VDR Program         NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation, and DOES 1 through 20, inclusive,       Case No. 2:17-cv-00552-KJM-CKD         NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,       Case No. 2:17-cv-00552-KJM-CKD         NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,       Case No. 2:17-cv-00552-KJM-CKD         NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,       Case No. 2:17-cv-00552-KJM-CKD         ALLIED WORLD INSURANCE COMPANY, a Delaware corporation, and DOES 1 through 200, inclusive       Case No. 2:10-CV-02992-MCE-GGH)	4	EASTERN DISTRIC	CT OF CALIFORNIA
<ul> <li>a Delaware corporation,</li> <li>Plaintiff,</li> <li>v.</li> <li>NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation, and DOES 1 through 20, inclusive,</li> <li>Defendants.</li> <li>NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,</li> <li>Defendants.</li> <li>NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,</li> <li>Defendants.</li> <li>Case No. 2:16-CV-02992-MCE-GGH</li> <li>Case No. 2:17-cv-00552-KJM-CKD</li> <li>(Administratively and consolidated with case 2:16-CV-02992-MCE-GGH)</li> <li>Case No. 2:17-cv-00552-KJM-CKD</li> <li>(Administratively and consolidated with case 2:16-CV-02992-MCE-GGH)</li> </ul>	5	SACRAMEN	<b>TO DIVISION</b>
<ul> <li>Plaintiff,</li> <li>NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation, and DOES 1 through 20, inclusive,</li> <li>Defendants.</li> <li>NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,</li> <li>Plaintiff,</li> <li>v.</li> <li>ALLIED WORLD INSURANCE COMPANY, a Delaware corporation, and DOES 1 through 200, inclusive</li> <li>Case No. 2:17-cv-00552-KJM-CKD (Administratively and consolidated with case 2:16-CV-02992-MCE-GGH)</li> </ul>			Case No. 2:16-CV-02992-MCE-GGH
<ul> <li>v.</li> <li>NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation, and DOES 1 through 20, inclusive,</li> <li>Defendants.</li> <li>NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation, and DOES 1 through 20, inclusive,</li> <li>NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,</li> <li>NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,</li> <li>Plaintiff,</li> <li>v.</li> <li>ALLIED WORLD INSURANCE COMPANY, a Delaware corporation, and DOES 1 through 200, inclusive</li> </ul>	7	Plaintiff,	Fy Parte Motion for Request to Modify
<ul> <li>NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation, and DOES 1 through 20, inclusive,</li> <li>Defendants.</li> <li>NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,</li> <li>NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,</li> <li>Plaintiff,</li> <li>v.</li> <li>ALLIED WORLD INSURANCE COMPANY, a Delaware corporation, and DOES 1 through 200, inclusive</li> <li>Days to Permit Mediation Under the VDR Program</li> <li>Case No. 2:17-cv-00552-KJM-CKD (Administratively and consolidated with case 2:16-CV-02992-MCE-GGH)</li> </ul>	3 v.		Pretrial Order By Stipulation to Extend
Image: Defendants.         I	MA	NAGEMENT, LLC, a California	Days to Permit Mediation Under the VDR
<ul> <li>NEW PARADIGM PROPERTY MANAGEMENT, LLC, a California Corporation,</li> <li>Plaintiff,</li> <li>v.</li> <li>ALLIED WORLD INSURANCE COMPANY, a Delaware corporation, and DOES 1 through 200, inclusive</li> <li>Case No. 2:17-cv-00552-KJM-CKD (Administratively and consolidated with case 2:16-CV-02992-MCE-GGH)</li> </ul>			
<ul> <li>MANAGEMENT, LLC, a California Corporation,</li> <li>Plaintiff,</li> <li>v.</li> <li>ALLIED WORLD INSURANCE COMPANY, a Delaware corporation, and DOES 1 through 200, inclusive</li> <li>(Administratively and consolidated with case 2:16-CV-02992-MCE-GGH)</li> </ul>			Case No. 2:17 ov 00552 KIM CKD
Plaintiff, v. ALLIED WORLD INSURANCE COMPANY, a Delaware corporation, and DOES 1 through 200, inclusive	MA	NAGEMENT, LLC, a California	
v. ALLIED WORLD INSURANCE COMPANY, a Delaware corporation, and DOES 1 through 200, inclusive			· ·
ALLIED WORLD INSURANCE COMPANY, a Delaware corporation, and DOES 1 through 200, inclusive	v.	r iainuiri,	
	, AL	elaware corporation, and DOES 1 through	
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1	Pursuant to Local Rule 143 and Federal Rule of Civil Procedure (FRCP) 16(b)(4),		
2 3	Defendant, NEW PARADIGM PROPERTY MANAGEMENT, LLC (hereinafter Defendant),		
3 4	and Plaintiff, ALLIED WORLD INSURANCE COMPANY (hereinafter Plaintiff) by and		
5	through the undersigned counsel, hereby jointly stipulate and request this Court to issue an Order		
6	to modify the Initial Pretrial Scheduling Order (ECF No. 3) (hereinafter "Initial Pretrial		
7	Scheduling Order" or "Pretrial Order") for case 2:16-CV-02992-MCE-GGH, by extending the		
8	dates for conclusion of expert witness discovery and the deadline for filing of dispositive		
9	motions by 90 days from the current deadline of January 29, 2019 to April 29, 2019, with all		
10	other deadlines to remain as governed by the Initial Pretrial Scheduling Order.		
11	The purpose of this request is to permit the parties to engage in mediation under the		
12	VDRP program and to avoid the expense of anticipated lengthy expert depositions and/or the		
13	filing of potential dispositive motions pending the results of mediation. The mediation would		
14	need to occur in February or March of 2019—as the principal of one of the parties will be out of		
15	the country through the first week of February.		
16 17	The Initial Pretrial Scheduling Order allocated 365 days for fact discovery until		
17	December 22, 2017 (ECF No. 3). Discovery including initial Rule 26(f) disclosures was then		
19	placed on hold pending ruling on Defendant's Motion to Compel Arbitration (ECF No. 23),		
20	which was denied on September 28, 2017. Shortly after denial of the motion on October 16,		
21	2017, the court granted a joint request to extend fact discovery by 120 days to April 20, 2018		
22	(ECF No. 28) and by 60 days to June 19, 2018 (ECF No. 35). Fact discovery was later extended		
23	to August 3, 2018 (ECF No. 35.)		
24	The parties have to date diligently engaged in discovery consisting of the exchange		
25	of several rounds of very lengthy written discovery, including amended and supplemental		
26	responses after meet and confers, and the exchange of several binders of documents concerning		
27	the construction project obtained both from the parties and from third parties through subpoena.		
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	- 2 - STIDULATED DEQUEST TO MODIEV THE DESTRIAL ODDED		
I	STIPULATED REQUEST TO MODIFY THE PRETRIAL ORDER		

## STIPULATED REQUEST TO MODIFY THE PRETRIAL ORDER

1 The last of the responses to document production requests was accomplished in early 2 March. Since that exchange and in April and May of 2018, the parties have exchanged additional 3 lengthy rounds of written discovery and produced thousands of pages of additional documents 4 pursuant to follow-up requests. Numerous PMQ and fact witness depositions were taken in the 5 summer of 2018. 6 Following the conclusion of fact discovery, the parties have at great expense 7 designated four experts on the complex construction and suretyship issues, who have exchanged 8 six lengthy reports. 9 The parties jointly believe that it may be productive to mediate at this point prior to 10 11 incurring the expense of expert deposition discovery and/or the filing of any dispositive motions, 12 and will file a stipulation for referral to the VDRP program—with mediation to occur after the 13 owner of one party returns to the United States in early February. The stipulation would permit 14 the parties to devote resources to settlement rather than to litigation, and is also likely to 15 conserve judicial resources. 16 FRCP 16(b)(4) allows a court to modify a scheduling order upon a showing of "good 17 cause." According to the Ninth Circuit Court, the "good cause" standard required is primarily 18 concerned with the diligence taken by the party seeking the extension. Johnson v. Mammoth 19 Recreations, Inc, 975 F.2d 604, 609 (9th Cir. 1992). A court may modify the scheduling order 20 21 should the given deadlines not be reasonably able to be met, despite diligent efforts. Jackson v. 22 Laureate, Inc., 186 F.R.D. 605, 608 (E.D. CA 1999). 23 This Stipulated Request to Modify the Pretrial Order is supported by good cause. 24 The parties hereby respectfully request that this Court modify the Pretrial Order by extending the 25 expert deposition and dispositive motion deadline by an additional ninety days. 26 This would result in the following new deadlines: 27 Expert Deposition Deadline: April 29, 2019. 28 Dispositive Motion Filing Deadline: April 29, 2019

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## STIPULATED REQUEST TO MODIFY THE PRETRIAL ORDER

1	All other deadlines in the Drotriel C	) where remain unchanged
1 2	All other deadlines in the Pretrial C	GASCOU HOPKINS LLP
3 4 5	Dated: January 4, 2019	By: <u>/Ronald Hopkins/</u> RONALD W. HOPKINS Attorneys for Plaintiff/Counter-Defendant ALLIED WORLD INSURANCE COMPANY
6 7 8	Dated: January 4, 2019	PORTER LAW GROUP, INC.
9 10 11 12		By: <u>/Brittany Rupley Haefe/</u> BRITTANY RUPLEY HAEFELE Attorneys for Defendant/Counter-Claimant NEW PARADIGM PROPERTY MANAGEMENT, LLC
13 14	IT IS SO ORDERED.	ORDER
15 16 17 18	Dated: January 9, 2019	MORRISON C. ENGLAND, JR UNITED STATES DISTRICT JUDGE
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	STIPULATED REOL	- 4 - UEST TO MODIFY THE PRETRIAL ORDER