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 TAMARA HASSETT; and ROBERT HASSETT

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA — SACRAMENTO DIVISION

MANISHA PALLA,

Plaintiff,

vs.

L M SPORTS, INC.; LT LEASING, INC.;
 PAUL GARCIA; and DOES 1-50, inclusive,

Defendants.

AND RELATED ACTIONS

) Case No. 2:16-CV-02865-JAM-EFB
) (Related Case 2:17-cv-00041-JAM-EFB)

) **STIPULATION TO EXTEND**
) **DEFENDANTS' TIME TO FILE REPLY IN**
) **SUPPORT OF MOTION FOR SUMMARY**
) **JUDGMENT AND TO RESPOND IN**
) **OPPOSITION TO CROSS-MOTION FOR**
) **SUMMARY JUDGMENT AND**
) **CORRESPONDING CHANGES TO**
) **BRIEFING SCHEDULE; ORDER**
) **THEREON (AS MODIFIED BY THE**
) **COURT)**

) Hearing Date: September 18, 2018
) Time: 1:30 p.m.
) Judge: Hon. John A. Mendez
) Courtroom: 6

) Complaint Filed: December 5, 2016
) FAC Filed: August 8, 2018
) Trial Date: TBD

Pursuant to Eastern District Local Rule 144, LT LEASING INC., LM SPORTS, INC.,
 TAMARA HASSETT, ROBERT HASSETT, SEAN O'DEA, NICHOLAS CARSCADDEN and
 EVAN BOTWIN hereby stipulate:

1. WHEREAS, Defendants LT LEASING INC., LM SPORTS, INC., TAMARA HASSETT and ROBERT HASSETT (collectively “the RENTAL DEFENDANTS”) filed a Motion for Partial Summary Judgment on Third Party Complaint against Third Party Defendants EVAN BOTWIN, SEAN O’DEA, NICHOLAS CARSCADDEN and EFE OZYURT (collectively “Third Party Defendants”) on June 11, 2018 [Dkt. 52];
2. WHEREAS, Third Party Defendant EVAN BOTWIN filed his Cross-Motion for Summary Judgment against the RENTAL DEFENDANTS on August 21, 2018 [Dkt. 100];
3. WHEREAS, the date for the RENTAL DEFENDANTS to file their Reply in Support of the Motion for Partial Summary Judgment on Third Party Complaint and to Respond in Opposition to Third Party Defendant EVAN BOTWIN’s Cross-Motion for Summary Judgment is September 4, 2018;
4. WHEREAS, the date for Third Party Defendant EVAN BOTWIN to file his Reply in Support of Cross-Motion for Summary Judgment is September 11, 2018;
5. WHEREAS, the hearing date for these respective motions is set for September 18, 2018;
6. WHEREAS, undersigned counsel for the RENTAL DEFENDANTS has only been recently substituted into this case last week, and prior counsel has left the practice of law, counsel for RENTAL DEFENDANTS needs additional time to fully understand the facts relevant to the motion [Dkt. 107];
7. WHEREAS, in view of the fact that undersigned counsel for the RENTAL DEFENDANTS has not yet received all of the file and in view of the Labor Day holiday, the parties stipulate and undersigned counsel requests that the Court permit an additional day for the RENTAL DEFENDANTS to file their Reply in Support of the Motion for Partial Summary Judgment on Third Party Complaint and to Respond in Opposition to Third Party Defendant EVAN BOTWIN’s Cross-Motion for Summary Judgment, up to and including September 5, 2018 (the current deadline is September 4, 2018). In exchange, provided the Court permits the additional day, the RENTAL DEFENDANTS stipulate and request that EVAN BOTWIN be provided with an additional day to file his

Reply in Support of Cross-Motion for Summary Judgment, up to and including September 12, 2018 (the current deadline is September 11, 2018);

8. WHEREAS this is the first stipulation addressing a continuance of the date of briefing relating to the RENTAL DEFENDANTS' Reply in Support of the Motion for Partial Summary Judgment on Third Party Complaint and for EVAN BOTWIN to file his Reply In Response to the RENTAL DEFENDANTS' Opposition, and this stipulation does not seek a continuance of the current hearing date (September 18, 2018);
9. The parties hereto agree and stipulate to continue (1) the date for the RENTAL DEFENDANTS to file their Reply in Support of the Motion for Partial Summary Judgment on Third Party Complaint and to Respond in Opposition to Third Party Defendant EVAN BOTWIN's Cross-Motion for Summary Judgment to September 5, 2018; and (b) the date for Third Party Defendant EVAN BOTWIN to file his Reply In Response to the RENTAL DEFENDANTS' Opposition to September 12, 2018, with the hearing date on the motions for summary judgment to remain as previously set by the Court on September 18, 2018.

IT IS HEREBY STIPULATED AND AGREED, by and amongst counsel who have motions scheduled to be heard on September 18, 2018 that the foregoing briefing dates shall be continued and extended as set forth hereinabove.

DATED: August 29, 2018

HINSHAW & CULBERTSON LLP

By: /s/ Pamela L. Schultz
FORREST BOOTH
PAMELA L. SCHULTZ
ALENA A. ECKHARDT
Attorneys for LT LEASING, INC.; LM
SPORTS, INC.; TAMARA HASSETT; and
ROBERT HASSETT

DATED: August 29, 2018

WOOD SMITH HENNING & BERMAN

By: /s/ Edward D. Baldwin
EDWARD D. BALDWIN
Attorneys for Third Party Defendant
SEAN O'DEA

DATED: August 29, 2018

CLARK HILL, LLP

By: */s/ Karina Sanchez*
KARINA SANCHEZ
Attorneys for Third Party Defendant
NICHOLAS CARSCADDEN

DATED: August 29, 2018

NAGELEY, KIRBY & WINBERRY, LLP

By: */s/ James R. Kirby, II*
JAMES R. KIRBY, II
Attorneys for Third Party Defendant
EVAN BOTWIN

ORDER (AS MODIFIED BY THE COURT)

The Court has read and considered the submitted Stipulation to Extend Defendants' Time to File Reply in Support of Motion for Summary Judgment and to Respond in Opposition to Cross-Motion for Summary Judgment and Corresponding Changes to Briefing Schedule and now therefore, for good cause appearing, GRANTS the extensions requested therein and ORDERS that the date for LT LEASING INC., LM SPORTS, INC., TAMARA HASSETT and ROBERT HASSETT to file their Reply in Support of Motion for Partial Summary Judgment and to Respond in Opposition to Third Party Defendant EVAN BOTWIN's Cross-motion for Summary Judgment is hereby continued from September 4, 2018, to **September 5, 2018**; and the date for Third Party Defendant EVAN BOTWIN to file his Reply in Support of Cross-Motion for Summary Judgment is hereby continued from September 11, 2018 to **September 12, 2018**. The hearing date is to remain as previously set by the Court on September 18, 2018 at 1:30 p.m. **Briefs shall be filed no later than noon on the extended due date of September 5, 2018 and September 12, 2018.**

IT IS HEREBY ORDERED

DATED: 8/30/2018

/s/ John A. Mendez

JOHN A. MENDEZ
United States District Court Judge