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 MABLE OERTELL

11 ** Defendants' counsel listed after the caption*

12 UNITED STATES DISTRICT COURT
 13 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

15 MABLE OERTELL,
 16 Plaintiff,
 17 v.
 18 SIX FLAGS ENTERTAINMENT
 CORPORATION; PARK MANAGEMENT
 19 CORP dba SIX FLAGS DISCOVERY
 KINGDOM; DIPPIN DOTS, LLC; FOTO
 20 FANTASY, INC.; PANDA RESTAURANT
 GROUP, INC.; DOE NO. 1 dba COLD
 21 STONE CREAMERY RESTAURANT No.
 22293; KAHALA RESTAURANT
 22 FRANCHISING, LLC; and DOES 2-20,
 Inclusive,
 23 Defendants.
 24

Case No. 2:17-cv-00267-TLN-DB

**STIPULATION AND ORDER
 CONTINUING ALL DEADLINES AND
 TRIAL DATE**

26 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
 A Limited Liability Partnership
 27 Including Professional Corporations
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5 RESTAURANT GROUP, INC.; AND KAHALA
RESTAURANT HOLDINGS, LLC
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11 DIPPIN' DOTS, LLC
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13

14 Plaintiff Mable Oertell (“Plaintiff”) and Defendants SIX FLAGS ENTERTAINMENT
15 CORPORATION, PARK MANAGEMENT CORPORATION, PANDA RESTAURANT
16 GROUP, INC., and KAHALA RESTAURANT HOLDINGS (“Six Flags Defendants”); Defendant
17 FOTO FANTASY, INC., and Defendant DIPPIN’ DOTS, LLC (collectively, the “Parties”) by
18 and through their respective attorneys, hereby jointly stipulate and respectfully request the
19 trial date and pretrial deadlines in this case be continued. Presently, trial in this case is
20 scheduled to begin on April 30, 2019. This is the second request for an extension of time
21 is based on the following good cause:

- 22 1. On July 11, 2017, Defendants filed a motion for partial summary judgment
23 (“Partial MSJ”). [Dkt. No. 63.] Defendants’ Partial MSJ is fully briefed but no
24 ruling has been issued by the Court.
- 25 2. In light of Defendants’ Partial MSJ, on July 18, 2017, Defendants filed a Motion to
26 Stay Discovery Pending Adjudication of Defendants’ Motion for Summary
27 Judgment. [Dkt. No. 65.] On July 24, 2017, Magistrate Judge Barnes issued a
28 minute order directing that Defendants had incorrectly noticed the motion on her

1 calendar and directed that it must be placed on Judge Nunley's civil law and
2 motion calendar instead. [Dkt. No. 71.] On July 18, 2017, Defendants' refiled
3 their Motion to Stay on Judge Nunley's civil law and motion calendar. [Dkt. No.
4 72.] On January 19, 2018, the Court denied Defendants' Motion to Stay.
5 3. To date, other than a site inspection which was held on August 22, 2017, no
6 discovery has been exchanged since the Parties were awaiting the Court's decision
7 on Defendants' Motion to Stay.
8 4. Since the Court issued its decision denying Defendants' Motion to Stay on January
9 19, 2018, and the deadline to complete discovery in this matter is currently May 17,
10 2018, the Parties need additional time to conduct discovery in this matter. [Dkt.
11 No. 93.]

12 Based on the foregoing, the parties jointly stipulate and request that the Court continue the
13 trial date from May 6, 2019, to December 2, 2019, and that the associated case deadlines be
14 continued as follows:

15	Fact discovery cut-off:	November 16, 2018
16	Expert disclosure:	January 18, 2019
17	Expert rebuttal:	February 15, 2019
18	Expert discovery cut-off:	March 15, 2019
19	Hearing of dispositive motions:	June 14, 2019
20	Joint pretrial conference statement:	September 6, 2019
21	Pretrial conference:	September 13, 2019
22	Trial briefs:	November 18, 2019
23	Trial:	December 2, 2019

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Dated: April 16, 2018

DERBY, McGUINNESS & GOLDSMITH, L.P.
LAW OFFICES OF PAUL L. REIN

By /s/ Steven L. Derby
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Attorneys for Plaintiff
MABLE OERTELL

Dated: April 16, 2018

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Dated: April 16, 2018

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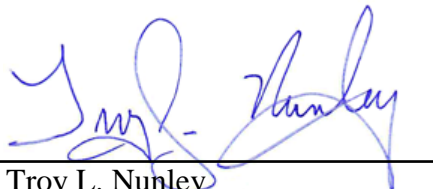
ORDER

Pursuant to the parties' stipulation, it is hereby ordered that the deadlines are reset as follows:

- Fact discovery cut-off: November 16, 2018
- Expert disclosure: January 18, 2019
- Expert rebuttal: February 15, 2019
- Hearing of dispositive motions: June 13, 2019**
- Joint pretrial conference statement: September 12, 2019**
- Pretrial conference: September 19, 2019, at 2:00 PM**
- Trial: December 2, 2019, at 9:00 AM**

IT IS SO ORDERED.

Dated: April 16, 2018



Troy L. Nunley
United States District Judge