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MELINDA JANE STEUER (SBN 216105)
LAW OFFICES OF MELINDA JANE STEUER
msteuer@californiainvestoradvocate.com
928 Second Street, Ste. 302
Sacramento, CA 95814
Telephone: (916) 930-0045
Facsimile: (916) 314-4100

Attorneys for Plaintiff JOHN MARSHALL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN MARSHALL, an individual,
Plaintiff,

v.

DANIEL P. GALVANONI, an individual;
DPG INVESTMENTS, LLC, a foreign
limited liability company; DPG GOLDEN
EAGLE, LLC, a foreign limited liability
company; SPRING TREE LENDING,
LLC, a foreign limited liability company;
SPRING TREE HOLDINGS, LLC, a
foreign limited liability company; SPRING
TREE FINANCIAL, LLC, a foreign limited
liability company; SKIBO HOLDINGS,
LLC, a foreign limited liability company;
GERALD T. HUDSPETH, an individual;
JEROME L. JOSEPH, an individual;
WILLIAM J. BROOKSBANK, an
individual; AND DOES 1-100, inclusive,
Defendants.

Case No. 2:17-CV-00820-KJM-CKD

**STIPULATION TO AMEND PRETRIAL
SCHEDULING ORDER TO EXTEND
DISCOVERY CUT-OFF AND RELATED
DATES; ORDER**

Pursuant to the Eastern District of California Local Rules 144, plaintiff JOHN
MARSHALL (“Plaintiff”) and defendants DANIEL P. GALVANONI; DPG
INVESTMENTS, LLC; DPG GOLDEN EAGLE, LLC; SPRING TREE HOLDINGS,

1 LLC; SPRING TREE FINANCIAL, LLC; and SKIBO HOLDINGS, LLC
2 (“Defendants”) (collectively, "Parties"), by and through their respective counsel of
3 record, hereby stipulate and agree to amend the Pretrial Scheduling Order so as to extend
4 the cut-off for completing fact discovery from December 3, 2018 to March 4, 2019 and to
5 extend all associated deadlines so that they are based upon the new discovery cut-off
6 date.

7 Good cause exists for the request because the defendants and their agents, as well
8 as other key third party witnesses reside in Georgia, Arizona and/or South Carolina; there
9 are at least nine such witnesses whose depositions plaintiff needs to take; and plaintiff’s
10 counsel has been unable to travel out of state to take depositions since September 18,
11 2018 and will not be able to travel out of state until approximately early to mid-
12 November of 2018 due to the hospitalization of her husband on September 18, 2018 and
13 her spraining her ankle on October 6, 2018. (Declaration of Melinda Jane Steuer (“Steuer
14 Decl.”) ¶¶5-12; Exhibits 1 & 2 to Steuer Decl.) Counsel have met and conferred and do
15 not believe that there is sufficient time between November 7, 2018 and December 3, 2018
16 to take all of the depositions that need to be taken in this matter in light of the
17 Thanksgiving holiday and their respective trial schedules. (Steuer Decl. ¶11)

18 In addition, counsel have other trials and immovable commitments during parts of
19 December, January and February and have not yet ascertained the availability of the
20 witnesses to be deposed. (Steuer Decl. ¶12) Counsel believe that extending the discovery
21 cut-off date to March 4, 2019 will realistically allow the parties to complete all fact
22 discovery by the cut-off date. (Steuer Decl. ¶12)

23 Moreover, plaintiff has a motion for relief from stay as to defendant American
24 Credit Acceptance, LLC (“ACA”) in the U.S. Bankruptcy Court, Northern District of
25 Georgia, that is scheduled to be heard on November 14, 2018. (Steuer Decl. ¶13; Exh. 3
26 to Steuer Decl.) Accordingly, counsel believes that an extension of the discovery cut-off
27 to March 4, 2019 will allow ACA to fully participate in fact discovery if plaintiff’s
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1 motion for relief from stay is granted and ACA remains in the case as a party defendant.
2 (Steuer Decl.)

3 The proposed extension is for approximately ninety (90) days. (Steuer Decl. ¶14)
4 No other extensions of time have been requested or received regarding the discovery cut-
5 off dates set forth in the court's pre-trial order. (Steuer Decl. ¶14)

6 **IT IS SO STIPULATED.**

7 Dated: October _____, 2018

CLARK HILL LLP

8
9 /s/ Bradford G. Hughes

10 By: _____

BRADFORD G. HUGHES
TIFFANY B. HUNTER

11
12 Attorneys for defendants DANIEL P.
13 GALVANONI; DPG INVESTMENTS, LLC;
14 DPG GOLDEN EAGLE, LLC; SPRING TREE
15 LENDING, LLC; SPRING TREE HOLDINGS,
16 LLC; SPRING TREE FINANCIAL, LLC; and
17 SKIBO HOLDINGS, LLC

17 DATED: October _____, 2018

LAW OFFICES OF MELINDA JANE
STEUER

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19
20 By: /s/ Melinda Jane Steuer

MELINDA JANE STEUER

21 Attorney for Plaintiff JOHN MARSHALL
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ORDER

Pursuant to stipulation, and for good cause shown, the deadline to complete fact discovery is hereby extended to **March 4, 2019**. The deadline to complete expert discovery is hereby extended to **June 14, 2019**. The deadline to hear dispositive motions is hereby extended to **July 26, 2019**.

IT IS SO ORDERED.

DATED: October 24, 2018.


UNITED STATES DISTRICT JUDGE