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11 Attorneys for Defendants DANIEL P. GALVANONI; DPG  
 12 INVESTMENTS, LLC; DPG GOLDEN EAGLE, LLC;  
 13 SPRING TREE LENDING, LLC; SPRING TREE  
 HOLDINGS, LLC; SPRING TREE FINANCIAL, LLC; and  
 SKIBO HOLDINGS, LLC

14 UNITED STATES DISTRICT COURT  
 15 EASTERN DISTRICT OF CALIFORNIA

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 18 JOHN MARSHALL, an individual,  
 19 Plaintiff,  
 20 v.

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

**STIPULATION TO CONTINUE FACT  
 AND EXPERT DISCOVERY CUT-OFF  
 DATES, AND LAST DAY FOR  
 HEARING ON DISPOSITIVE MOTIONS**

21 DANIEL P. GALVANONI, an individual;  
 22 DPG INVESTMENTS, LLC, a foreign  
 23 limited liability company; DPG GOLDEN  
 24 EAGLE, LLC, a foreign limited liability  
 25 company; SPRING TREE LENDING,  
 26 LLC, a foreign limited liability company;  
 27 SPRING TREE HOLDINGS, LLC, a  
 28 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;  
 AMERICAN CREDIT ACCEPTANCE,  
 LLC, a foreign limited liability company;

1 AND DOES 1-100, inclusive,  
2 Defendants.

3  
4 Pursuant to the Eastern District of California Local Rules 144, plaintiff JOHN  
5 MARSHALL (“Plaintiff”), defendants DANIEL P. GALVANONI; DPG  
6 INVESTMENTS, LLC; DPG GOLDEN EAGLE, LLC; SPRING TREE LENDING,  
7 LLC; SPRING TREE HOLDINGS, LLC; SPRING TREE FINANCIAL, LLC; and  
8 SKIBO HOLDINGS, LLC (“Defendants”), and defendant AMERICAN CREDIT  
9 ACCEPTANCE, LLC (“ACA”) (collectively, “Parties”), by and through their respective  
10 counsel of record, hereby agree to continue discovery and motion deadlines by  
11 approximately 90 days and stipulate to the following new dates:

- 12 1. Fact Discovery Cut-off: June 14, 2019;
- 13 2. Expert Discovery Cut-off: September 20, 2019;
- 14 3. Last Day for Hearing on Dispositive Motions: October 11, 2019.

15 There is good cause to grant this stipulation because the Parties cannot complete  
16 necessary fact and expert discovery before the current cut-off dates. The Parties have  
17 conducted initial written discovery in this matter; however, the Parties ability to conduct  
18 further discovery and to meet and confer on initial discovery is impeded by the pending  
19 investigation into Defendants, including Daniel Galvanoni but excluding ACA, instituted  
20 by the Securities and Exchange Commission (“SEC”). Defendants (excluding ACA) are  
21 seeking a stay of this litigation pending resolution of the SEC’s investigation. It is the  
22 moving Defendants’ position that the SEC instituted a quasi-criminal investigation, and  
23 such investigation implicates the Fifth Amendment rights of individuals and witnesses  
24 involved in this matter. However, Plaintiff believes that the SEC’s investigation is not  
25 quasi-criminal. Given Defendants’ (excluding ACA) assertions that the SEC’s quasi-  
26 criminal investigation is a quasi-criminal investigation which implicates the Fifth  
27 Amendment rights of individuals and witnesses involved in this matter, and defendants’  
28 motion to stay discovery pending the completion of the SEC’s investigation, the Parties

1 cannot presently complete discovery within the Scheduling Order. Based on the SEC's  
2 investigation and the hearing date on Defendants' motion for a stay of proceedings, the  
3 Parties do not have sufficient time to conduct written discovery and depositions before  
4 the fact discovery cutoff. Good cause accordingly exists to grant this Stipulation in order  
5 to provide the Parties with sufficient time to conduct fact and expert discovery.

6 Furthermore, the unavailability of counsel, including as a result of trial in other  
7 matters, provides additional good cause as most counsel are not available to participate in  
8 depositions in time to complete discovery as currently ordered. Counsel are unavailable  
9 as follows:

- 10 1. Counsel for Plaintiff: January 24, 2019 (mediation), January 31, 2019  
11 (Mandatory Settlement Conference-Orange County Superior Court; February 5-  
12 26, 2019 (trial-San Diego Superior Court); March 6, 2019 (deposition); March 7,  
13 2019 (mediation).
- 14 2. Counsel for Defendant ACA: January 25-February 5, 2019; March 11-13;  
15 March 22-April 1; April 23-25; April 29-May 1.
- 16 3. Counsel for Defendants: January 31, 2019 (pretrial hearing); February 7,  
17 2019 (deposition); February 21, 2019 (personal matter); April 8-9, 2019 (appellate  
18 oral argument); April 12-15, 2019 (vacation); April 19-22, 2019 (religious  
19 holidays); June 13-25, 2019 (business travel/vacation). Further, Bradford Hughes,  
20 local counsel for Defendants, is currently scheduled to be in trial on the following  
21 dates: April 2, 2019; April 26, 2019; April 30, 2019; May 2, 2019; June 3, 2019;  
22 June 25, 2019; July 22, 2019; August 6, 2019; September 9, 2019; October 2,  
23 2019; November 18, 2019; March 2, 2020; April 12, 2020; April 13, 2020; April  
24 17, 2020.

25  
26 **IT IS SO STIPULATED.**  
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28

1 Dated: January 23, 2019

CLARK HILL LLP

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By: /s/ Bradford Hughes

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BRADFORD G. HUGHES

TIFFANY B. HUNTER

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Attorneys for defendants DANIEL P.  
GALVANONI; DPG INVESTMENTS, LLC;  
DPG GOLDEN EAGLE, LLC; SPRING TREE  
LENDING, LLC; SPRING TREE HOLDINGS,  
LLC; SPRING TREE FINANCIAL, LLC; and  
SKIBO HOLDINGS, LLC

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12 DATED: January 23, 2019

BURR AND FORMAN LLP

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By: /s/ Alan Daniel Leeth

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Alan Daniel Leeth

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Matthew T. Mitchell, PHV

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Attorneys for defendant AMERICAN  
CREDIT ACCEPTANCE, LLC

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DATED: January 23, 2019

BOUTIN JONES INC.

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By: /s/ Daniel S. Stouder

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Daniel S. Stouder

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Attorneys for defendant AMERICAN  
CREDIT ACCEPTANCE, LLC

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DATED: January 23, 2019

LAW OFFICES OF MELINDA JANE  
STEUER

By:  /s/ Melinda Jane Steuer  
MELINDA JANE STEUER

Attorney for Plaintiff JOHN MARSHALL

**ORDER**

Pursuant to stipulation, and for good cause shown, the deadline to complete fact discovery is hereby extended to June 14, 2019. The deadline to complete expert discovery is hereby extended to September 20, 2019. The deadline to hear dispositive motions is hereby extended to October 18, 2019.

**IT IS SO ORDERED.**

DATED: March 14, 2019.

  
UNITED STATES DISTRICT JUDGE