

1 Roman Otkupman, CSBN 249423
Roman@OLFLA.com
2 Nidah Farishta, CSBN 312360
Nidah@OLFLA.com
3 OTKUPMAN LAW FIRM, A LAW CORPORATION
21800 Oxnard Street, Suite 1160
4 Woodland Hills, CA 91367
Telephone: (818) 293-5623
5 Facsimile: (888) 850-131 0

6 Attorneys for Plaintiff,
Nathan Todd Davis

7 LITTLER MENDELSON, P.C.
8 BENJAMIN L. WEBSTER, Bar No. 132230
bwebster@littler.com
9 JOHN H. ADAMS, JR., Bar No. 253341
jhadams@littler.com
10 500 Capitol Mall
Suite 2000
11 Sacramento, CA 95814
Telephone: 916.830.7200
12 Facsimile: 916.561.0828

13 Attorneys for Defendant
WELLS FARGO BANK, NATIONAL
14 ASSOCIATION

15 UNITED STATES DISTRICT COURT
16 EASTERN DISTRICT OF CALIFORNIA
17

18 NATHAN TODD DAVIS,
19 Plaintiff,

20 v.

21 WELLS FARGO BANK, NATIONAL
22 ASSOCIATION, a South Dakota
23 Corporation, and DOES 1 through 100,
inclusive,
24 Defendants.

Case No. 2:17-CV-01400-MCE-KJN

**STIPULATION AND ORDER TO EXTEND
DISCOVERY DEADLINE**

1 Plaintiff NATHAN TODD DAVIS and Defendant WELLS FARGO BANK,
2 NATIONAL ASSOCIATION, (collectively, “the Parties”), by and through their respective counsel
3 of record, hereby stipulate to extend the July 9, 2018, discovery cutoff date by 120 days, until
4 November 6, 2018. In support of this stipulation, the parties offer the following:

5 1. The Parties have been diligently working to complete all discovery by the
6 current deadline. Defendant has gathered documents potentially responsive to Plaintiff’s written
7 requests seeking certain electronically stored information, generally consisting of email
8 communications among Plaintiff and various of Defendant’s employees related to the claims and
9 defenses in this action. However, after the gathering, processing and searching of those documents
10 by Defendant’s electronic discovery vendor, it was discovered that, because of unforeseen technical
11 issues, the batch of documents generated did not conform to the search terms agreed to by the
12 Parties. The resultant batch contained documents that are not relevant to this action and that
13 contained private information of third parties.

14 2. Defendant has been working with its vendor to rectify the problem. However,
15 in order to ensure collection of responsive documents, the entire process had to be repeated after the
16 technical issues that caused the problem were identified and corrected. This has prevented the Parties
17 from completing both written discovery and depositions necessary for prosecution of this matter.

18 3. Defendant anticipates receiving from its vendor batches of responsive, error-
19 free documents within the next week. However, because the large volume of documents will require
20 lengthy review prior to their use at deposition and in this action, and because additional written
21 discovery may be required after review of the produced documents, the Parties will be unable to
22 complete all discovery by the current deadline. The Parties therefore need to extend the discovery
23 cutoff date by 120 days, until November 6, 2018.

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