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5 Attorneys for Third Party Defendant JOMAR INVESTMENTS, INC. dba NEW LIFE
6 TRANSPORT PARTS CENTER
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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**

11
12 ROGER DRIVER,

13 Plaintiff,

14 v.

15 PAPÉ KENWORTH; THE PAPÉ GROUP,
16 INC.; PAPÉ TRUCKS, INC.; PAPÉ TRUCK
LEASING, INC.; PAPÉ PROPERTIES, INC.;
17 PAPÉ MATERIAL HANDLING., INC.;
PAPÉ MACHINERY HANDLING, INC.;
18 ENGINEERED PRODUCTS, A PAPÉ
COMPANY; PAPÉ D.W., INC.; and DOES 1-
19 100,

20 Defendants.

21 PAPÉ TRUCKS, INC.,

22 Third Party Plaintiff,

23 v.

24 JOMAR INVESTMENTS, INC. dba NEW
LIFE TRANSPORT PARTS CENTER, and
25 ROES 1-10, Inclusive,

26 Third Party Defendants.
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Case No. 2:17-CV-01968-KJN

**JOINT STIPULATION TO EXTEND
TIME FOR THIRD PARTY DEFENDANT
JOMAR INVESTMENTS, INC. TO FILE
INITIAL DISCLOSURES UNDER FRCP
RULE 26**

The Hon. Kendall J. Newman

Trial Date: Previously, 1/17/20

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1 WHEREAS the complaint was filed on September 21, 2017.

2 WHEREAS Defendant PAPÉ TRUCKS, INC. filed a Third Party Complaint against Jomar
3 Investments, Inc. dba New Life Transport Parts Center on June 27, 2019.

4 WHEREAS the Third Party Complaint was served on July 19, 2019 on Jomar Investments,
5 Inc.

6 WHEREAS counsel for Jomar Investments, Inc. has requested an extension of time to file
7 and serve its Initial Disclosure under Federal Rule of Civil Procedure Rule 26, the deadline for
8 which is typically 30 days after being served or joined to an action unless a different time is set by
9 stipulation or court order. Fed. R. Civ. P. 26 (D).

10 WHEREAS Local Rule 144 (a) states: Unless the filing date has been set by order of the
11 Court, an initial stipulation extending time for no more than twenty-eight (28) days to respond to a
12 complaint, cross-claim or counterclaim, or to respond to interrogatories, requests for admissions,
13 or requests for production of documents may be filed without approval of the Court if the
14 stipulation is signed on behalf of all parties who have appeared in the action and are affected by
15 the stipulation. All other extensions of time must be approved by the Court. No open extensions
16 of time by stipulation of the parties will be recognized.

17 The parties do hereby agree and stipulate between and amongst themselves, through their
18 respective counsel that counsel for Jomar Investments, Inc. may have an extension of time until
19 October 10, 2019 to file its Initial Disclosure under Federal Rule of Civil Procedure Rule 26.

20
21 DATED: September 16, 2019 CUTTER LAW, P.C.

22
23 By: /s/ Celine Cutter
24 C. BROOKS CUTTER
25 CELINE E. CUTTER
26 Attorneys for Plaintiff, ROGER DRIVER
27
28

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DATED: September ____, 2019

ERICKSEN ARBUTHNOT

By: _____

CHARLES S. PAINTER
REBECCA L. MENENDEZ

Attorneys for Defendant/Third Party Plaintiff, PAPÉ
TRUCKS, INC.

DATED: September 16, 2019

WOOD, SMITH, HENNING & BERMAN LLP

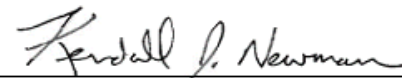
By: _____

/s/ Anthony D. Risucci
CARLA N. BRAUNSTEIN
ANTHONY D. RISUCCI

Attorneys for Third Party Defendant JOMAR
INVESTMENTS, INC. dba NEW LIFE TRANSPORT
PARTS CENTER

IT IS SO ORDERED:

Dated: September 18, 2019



KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE