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5 Attorneys for Defendant and Third Party Plaintiff,  
 6 PAPÉ TRUCKS, INC.

7 UNITED STATES DISTRICT COURT  
 8 EASTERN DISTRICT OF CALIFORNIA

10 ROGER DRIVER,

11 Plaintiff,

12 vs.

13 PAPÉ TRUCKS, INC. AN OREGON  
 14 CORPORATION,

Defendant.

15 AND RELATED CROSS-ACTIONS.

) Case No.: 2:17-CV-01968- KJN

) **ORDER ON STIPULATION TO MODIFY**  
 ) **SCHEDULING ORDER**

) Action Filed: 09/21/2017  
 ) Trial Date: 12/07/2021

16 WHEREAS plaintiff filed his complaint on September 21, 2017.

17 WHEREAS on March 9, 2018 this court issues its Pre-Trial Scheduling Order which  
 18 indicated, among other things, "... that this order shall not be modified except by leave of court  
 19 upon a showing of good cause.... "

20 WHEREAS the court previously modified the order for good cause and issued the current  
 21 operative scheduling order on June 25, 2020;

22 WHEREAS the parties have agreed and stipulated, by and through their respective  
 23 undersigned counsel, that due to a delay in completing discovery as a result of the pandemic,  
 24 the current scheduling order be modified as follows:

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Case No.	2:17-CV-01968-KJN		
Case Name:	DRIVER V. PAPE TRUCKS, INC., et al.		
MATTER	CURRENT DATE	PROPOSED NEW DATE	COURT'S ORDER
LAW AND MOTION (EXCEPT FOR DISCOVERY MOTIONS)	October 6, 2021	March 7, 2022	<b>March 7, 2022</b>
EXPERT DISCLOSURES	July 6, 2021	December 6, 2021	<b>December 6, 2021</b>
EXPERT DISCLOSURE REBUTTAL	August 4, 2021	January 4, 2022	<b>January 4, 2022</b>
DISCOVERY CUT OFF	September 10, 2021	February 7, 2022	<b>February 7, 2022</b>
FINAL PRE-TRIAL CONFERNECE	October 20, 2021	March 21, 2022	<b>(none set)</b>
JURY TRIAL	December 7, 2021	May 9, 2022	<b>(none set)</b>

DATED: June 30, 2021

ERICKSEN ARBUTHNOT

By



CHARLES S. PAINTER  
REBECCA L. MENENDEZ  
Attorneys for Defendant,  
PAPE TRUCKS, INC.

1 DATED: June 30, 2021

CUTTER LAW P.C.

2  
3 By /s/ Celine E. Cutter as authorized on  
6/30/2021  
C. BROOKS CUTTER  
4 CELINE E. CUTTER  
Attorneys for Plaintiff, ROGER DRIVER

6 DATED: June 29, 2021

GIBSON ROBB & LINDH LLP

7  
8 By /s/ R. Hudson Hollister as authorized on  
6/29/2021  
JOSHUA E. KIRSCH  
9 R. HUDSON HOLLISTER  
Attorneys for Plaintiff-In-Intervention,  
10 ACCIDENT FUND INSURANCE  
COMPANY OF AMERICA

12 DATED: June 29, 2021

WOOD SMITH HENNING & BERMAN, LLP

13  
14 By /s/ C.G. Brandon Gnekow as authorized  
on 6/29/2021  
CARLA N. BRAUNSTEIN  
15 C.G. BRANDON GNEKOW  
Attorneys for Third Party Defendant  
16 JOMAR INVESTMENTS, INC.

17 **ORDER**

18 Pursuant to the parties' stipulation, the court finds good cause to modify the scheduling  
19 order (ECF No. 61) and adopts the amended deadlines proposed by the parties as set forth in  
20 the chart above. The undersigned declines to set final pretrial conference and trial dates at this  
21 juncture, however. Instead, the court orders the parties to submit a Joint Notice of Trial  
22 Readiness on one of the following timelines:

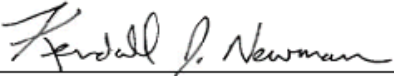
- 24 A. After resolution of any pending dispositive motions, the parties are to submit the Notice  
25 not later than thirty (30) days after receiving the ruling(s) on the last filed dispositive  
26 motion(s); or  
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1 B. If the parties do not intend to file dispositive motions, the parties are ordered to file the  
2 Notice not later than one hundred twenty (120) days after the close of discovery, and  
3 the notice must include statements of intent to forgo the filing of dispositive motions.

4 In the Joint Notice of Trial Readiness, the parties are to set forth the appropriateness of special  
5 procedures, their estimated trial length, any request for a jury, their availability for trial, and if  
6 the parties are willing to attend a settlement conference. The Notice shall also estimate how  
7 many court days each party will require to present its case, including opening statements and  
8 closing arguments. The parties' estimate shall include time necessary for jury selection, time  
9 necessary to finalize jury instructions and instruct the jury. After review of the parties' Joint  
10 Notice of Trial Readiness, the court will issue an order that sets forth dates for a final pretrial  
11 conference and trial.  
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14 Dated: July 1, 2021

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16 driv.1968

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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