



1 Paul W. Reidl (SBN 155221)  
 Christopher J. Passarelli (SBN 241147)  
 2 Brett J. Leininger (SBN 329579)  
 DICKENSON, PEATMAN & FOGARTY  
 3 1500 First Street, Suite 200  
 Napa, California 94559  
 4 Telephone: (707) 252-7122  
 Facsimile: (707) 340- 7239  
 5 preidl@dpf-law.com  
 cpassarelli@dpf-law.com

6 Attorneys for Defendants/Counter-Plaintiffs  
 7 EL DORADO ORCHARDS INC., et al.

8 R. Michael West (SBN 84336)  
[mwest@saciplaw.com](mailto:mwest@saciplaw.com)  
 9 Law Offices of R. Michael West  
 1922 21<sup>ST</sup> Street  
 10 Sacramento, CA 95811  
 Telephone: (916) 444-5444

11 Catherine Ashley Straight (SBN 119339)  
[cstraight@cas-law.com](mailto:cstraight@cas-law.com)  
 12 Law Offices of Catherine Ashley Straight  
 1922 21<sup>ST</sup> Street  
 13 Sacramento, CA 95811  
 Telephone: (916)-599-1845

14 Attorneys for Plaintiff/Counter-Defendant  
 15 APPLE HILL GROWERS

17 UNITED STATES DISTRICT COURT  
 18 EASTERN DISTRICT OF CALIFORNIA

20 APPLE HILL GROWERS,  
 21 Plaintiff,  
 22 vs.  
 23 EL DORADO ORCHARDS, INC., et al.  
 24 Defendants.

CASE NO. 2:17-cv-02085-TLN-CKD  
**STIPULATION AND ORDER TO  
 EXTEND DEADLINE FOR THE  
 DEPOSITION OF CHRIS DELFINO**

26 Plaintiff Apple Hill Growers (“Plaintiff”) and Defendants Brad Visman, Mason Visman,  
 27 Kandi Visman, and El Dorado Orchards, Inc., (“Defendants”) (Plaintiff and Defendants  
 28

1 collectively “the Parties”) hereby agree and to stipulate to extend the deadline for the deposition  
2 of Chris Delfino.

3 Defendants filed a Motion to Reopen Discovery, to Compel Depositions, and for  
4 Sanctions on July 20, 2022. [ECF No. 78.] On August 19, 2022, the Court issued an order [ECF  
5 No. 92] granting in part and denying in part Defendants’ Motion. The Court ordered, *inter alia*,  
6 that Chris Delfino “appear for a deposition during the week of September 19th, 2022.” [*Id.*, at p.  
7 6.] The Court also ordered that Plaintiff designate a representative to testify on the Rule 30(b)(6)  
8 deposition topics, and that such deposition take place “no later than September 23, 2022 . . . .”  
9 [*Id.* at 7.] Plaintiff has designated Mr. Delfino to testify on certain of the topics listed in the Rule  
10 30(b)(6) Amended Notice of Deposition to Plaintiff.

11 The Parties have cooperated in the scheduling of depositions since the Court’s Order. The  
12 deposition of R. Michael West took place on September 20, 2022, and the parties plan to take the  
13 deposition of Susan Boeger (and the 30(b)(6) topics for which she has been designated as  
14 Plaintiff’s representative) prior to September 23, 2022. However, it would be more convenient for  
15 the witness for his deposition to take place next week, prior to September 29, and neither party  
16 will be prejudiced by a short extension. Accordingly, the Parties stipulate and jointly request that  
17 the Court extend the deadline for taking the deposition of Chris Delfino (and the 30(b)(6) topics  
18 for which Plaintiff has designated him), and that the Court order that such deposition now take  
19 place prior to September 29, 2022.

20 Respectfully submitted,

21 DATED: September 22, 2022

DICKENSON, PEATMAN & FOGARTY

22  
23 By: /s/ Christopher J. Passarelli

24 Paul W. Reidl  
25 Christopher Passarelli  
26 Brett Leininger  
27 Attorneys for El Dorado Orchards, et al.  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

LAW OFFICES OF CATHERINE ASHLEY STRAIGHT

By:     /s/ Catherine Ashley Straight      
Catherine Ashley Straight  
Attorney for Apple Hill Growers

LAW OFFICES OF R. MICHAEL WEST

By:     /s/ R. Michael West      
R. Michael West  
Attorney for Apple Hill Growers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Having reviewed the Parties' stipulation, the Court orders as follows:

1. Chris Delfino SHALL appear for a deposition on or before September 29, 2022—  
with the deposition to be conducted either in person in El Dorado County, or via  
remote means;
2. The 30(b)(6) deposition topics for which Plaintiff has designated Mr. Delfino as  
representative shall be addressed at the same deposition, on or before  
September 29, 2022; and
3. The September 23, 2022, deadline for the deposition of Mr. Delfino in the Court's  
Order of August 19, 2022, is hereby vacated.

IT IS SO ORDERED.

Dated: September 22, 2022

  
 \_\_\_\_\_  
 CAROLYN K. DELANEY  
 UNITED STATES MAGISTRATE JUDGE