

1 DANIEL V. KOHLS (SBN 167987)
 2 MARK D. SZYNTAR (SBN 316170)
 3 HANSEN, KOHLS, SOMMER & JACOB, LLP
 4 1520 Eureka Road, Suite 100
 5 Roseville, California 95661
 6 Telephone: (916) 781-2550
 7 Email: dkohls@hansenkohls.com
 8 Email: mszyntar@hansenkohls.com

6 Attorneys for Plaintiffs STORZ MANAGEMENT
 7 COMPANY, STORZ REALTY, INC., HERITAGE
 8 FUNDING CORPORATION, and HERITAGE
 9 FUNDING IV and Counter-Defendants STORZ
 MANAGEMENT COMPANY, STORZ REALTY, INC.

10 James Kachmar, State Bar No. 216781
 11 **weintraub tobin** chediak coleman grodin
 12 law corporation
 13 400 Capitol Mall, 11th Floor
 Sacramento, California 95814
 Telephone: 916/558.6000
 Facsimile: 916/446.1611
 Email: jkachmar@weintraub.com

14 Attorneys for Defendants and Counterclaimants Andrew
 15 Carey and Mark Weiner, and Defendants, Joy Kelly,
 16 Nancy Hughes, Monolith, LLC and Monolith Properties,
 Inc.

17 UNITED STATES DISTRICT COURT
 18 EASTERN DISTRICT OF CALIFORNIA

19 STORZ MANAGEMENT COMPANY, a)
 20 California Corporation, and STORZ REALTY,)
 21 INC., a California Corporation, HERITAGE)
 22 FUNDING CORPORATION, a California)
 corporation, and HERITAGEFUNDING IV, a)
 California corporation,)
 23 Plaintiffs,)
 24 v.)
 25 ANDREW CAREY, an individual, and MARK)
 26 WEINER, an individual, JOY KELLY, an)
 individual, NANCY HUGHES, an individual;)
 27 MONOLITH, LLC, a California entity, and)
 MONOLITH PROPERTIES, INC., a)
 California corporation,)
 28 Defendants.)

Case No. 2:18-cv-00068-DJC-DB
**STIPULATION AND ORDER FOR
 LIMITED EXTENSION OF CUT-OFF
 FOR EXPERT DISCOVERY**

Complaint Filed: January 11, 2018
 FAC Filed: January 30, 2018
 SAC Filed: March 17, 2021

Trial Date: September 16, 2024

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

AND RELATED COUNTERCLAIMS.)

Plaintiffs/Counterdefendants Storz Management Company, Storz Realty, Inc., Heritage Funding Corporation, and Heritage Funding IV (“Plaintiffs”), together with Defendants/Counterclaimants Andrey Carey, Mark Weiner and Defendants Joy Kelly, Nancy Hughes, Monolith, LLC and Monolith Properties, Inc. (collectively, “Defendants”) hereby stipulate to and request a modification to the Court’s Amended Scheduling Order, issued on September 12, 2023 (ECF No. 266) as follows:

WHEREAS on September 12, 2023, this Court issued a Minute Order wherein it granted the Parties’ stipulation and ordered all expert discovery to be completed by no later than January 12, 2024 (*see* ECF No. 266);

WHEREAS the deposition of Plaintiffs’ designated expert witness, James Vaughn, was timely noticed to take place on January 10, 2024;

WHEREAS Mr. Vaughn had a family medical emergency that prevented his deposition from proceeding on January 10, 2024 as noticed;

WHEREAS the Parties have agreed to reschedule Mr. Vaughn’s deposition to a date in late-January or early-February 2024 to accommodate Mr. Vaughn’s schedule;

WHEREAS the Parties expect to complete all other expert discovery by the current deadline of January 12, 2024;

WHEREAS good cause exists for a limited extension of the cutoff of expert discovery for the sole purpose of completing the deposition of Mr. Vaughn in light of his sudden unavailability.

NOW, THEREFORE, the Parties jointly request:

- 1. That the Court modify its amended scheduling order (ECF No. 266) to extend the cutoff of expert discovery to February 9, 2024, for the limited purpose of allowing Defendants to take the deposition of James Vaughn.

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

IT IS SO STIPULATED AND AGREED.

Dated: January 11, 2024

HANSEN, KOHLS, SOMMER & JACOB, LLP

By: /s/ Daniel V. Kohls

DANIEL V. KOHLS

Attorneys for Plaintiffs/Counterdefendants

STORZ MANAGEMENT COMPANY, STORZ
REALTY, INC., HERITAGE FUNDING
CORPORATION and HERITAGE FUNDING IV

Dated: January 11, 2024

weintraub tobin chediak coleman grodin
LAW CORPORATION

By: /s/ - James Kachmar
James Kachmar

Attorneys for Defendants and Counterclaimants
Andrew Carey and Mark Weiner, and Defendants
Joy Kelly, Nancy Hughes, Monolith, LLC and
Monolith Properties, Inc.

ORDER

The Court, having reviewed the Parties’ Stipulation, and finding good cause, hereby
modifies its September 12, 2023 amended Scheduling Order (ECF No. 266) as follows:

- 1. The cutoff of expert discovery shall be extended to February 9, 2024, for the
limited purpose of allowing Defendants to take the deposition of James Vaughn.

Dated: January 12, 2024

 /s/ Daniel J. Calabretta
THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE