

1 **IT IS HEREBY STIPULATED** by and between the parties hereto through their
2 respective attorneys of record that the deposition of the third-party entity, ICC Evaluation
3 Service, LLC (“ICC”), can be taken outside the current fact discovery cut-off of November 22,
4 2019.

5 On September 10, 2019, Plaintiff Richard A. Leines (“Plaintiff”) informed Defendant
6 Homeland Vinyl Products, Inc. (“Defendant”) of his intent to depose the ICC. On September 16,
7 2019, Plaintiff’s counsel notified counsel for ICC of Plaintiff’s intent to take ICC’s corporate
8 deposition and requested that the ICC provide available dates when a witness could be deposed.
9 Thereafter, counsel for ICC set out to identify a specific witness to testify on behalf of the ICC
10 and available dates for the deposition.

11 On November 13, 2019, Plaintiff formerly served ICC with a deposition subpoena for
12 November 22, 2109 because Plaintiff had still yet to receive a firm deposition date from counsel
13 for ICC. Thereafter, counsel for ICC offered two dates – December 3 and 5, 2019 – for
14 deposition. All parties are available to conduct the deposition on December 3, 2019 and can
15 accommodate ICC’s availability.

16 **IT IS FURTHER HEREBY STIPULATED** by and between the parties that no other
17 dates set forth in the Court’s scheduling order will be affected by this accommodation.

18 **IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.**

19 DATED: November 27, 2019

20 **RICHARD A. LEINES**

21 *By: /s/ Eric Benisek*
22 *Counsel for the Plaintiff*

23 Jeffrey T. Lindgren (CASB# 176400)

jlindgren@vblaw.com

24 Eric W. Benisek (CASB# 209520)

ebenisek@vblaw.com

25 Vasquez Benisek & Lindgren LLP

3685 Mt. Diablo Blvd., Suite 300

Lafayette, CA 94549

26 Telephone: (925) 627-4250

27 Facsimile: (925) 403-0900

28 *Attorneys for Plaintiff Richard A. Leines.*

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DATED: November 27, 2019

HOMELAND VINYL PRODUCTS, INC.

By: /s/ Darren G. Reid (Pro Hac Vice)
Attorney for the Defendant

GOUGH & HANCOCK LLP GAYLE L. GOUGH (SBN 154398)

gayle.gough@ghcounsel.com
LAURA L. GOODMAN (SBN 142689)
laura.goodman@ghcounsel.com
Two Embarcadero Center, Suite 640
San Francisco, CA 94111
Telephone: 415-848-8900

HOLLAND & HART LLP
Eric G. Maxfield (pro hac vice)
Darren G. Reid (pro hac vice)
222 South Main Street, Suite 2200
Salt Lake City, UT 84101
Telephone: (801)799-5833
Facsimile: (801)799-5700
egmaxfield@hollandhart.com
dgreid@hollandhart.com

Attorneys for Defendant Homeland Vinyl Products, Inc.

FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

DATED: December 18, 2019.


UNITED STATES DISTRICT JUDGE