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**UNITED STATES DISTRICT COURT**

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**FOR THE EASTERN DISTRICT OF CALIFORNIA**

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**SACRAMENTO DIVISION**

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GLENNA STRONG,

Case No. 2:18-cv-02489-KJM-DB

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Plaintiff,

**STIPULATION AND REQUEST  
 TO MODIFY SCHEDULING ORDER  
 FOR GOOD CAUSE AND [FED. R. CIV.  
 P. 16(b)]**

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v.

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AT&T SERVICES, INC.,

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Defendant.

Amended Complaint filed November 7, 2018

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STIPULATION & REQUEST TO MODIFY SCHEDULING ORDER;  
 ORDER – Case No. 2:18-cv-02489-KJM-DB

1 Pursuant to Federal Rule of Civil Procedure Rule 16(b)(4) and Section X of the Status  
2 (Pretrial Scheduling) Order issued by United States District Judge Kimberly J. Mueller on  
3 January 29, 2019 (the “Scheduling Order”), Plaintiff Glenna Strong (“Plaintiff”) and Defendant  
4 AT&T Services, Inc. (“Defendant”) (collectively, the “Parties”), by and through undersigned  
5 counsel, hereby jointly stipulate and move to modify the Scheduling Order for good cause, as  
6 follows:

7 1. Plaintiff brought this action on or about September 13, 2018. Plaintiff filed an  
8 Amended Complaint on November 7, 2018.

9 2. Pursuant to the Scheduling Order, the cut-off for discovery is September 20, 2019.  
10 The deadline for the Parties to designate and disclose expert witnesses is September 27, 2019. All  
11 expert discovery must be completed by November 18, 2019. The deadline for dispositive motions  
12 is December 20, 2019. No trial date has been set in this matter.

13 3. On November 30, 2018, Defendant filed a Motion to Strike Portions of Plaintiff’s  
14 Amended Complaint (the “Motion to Strike”) and a Request for Judicial Notice in Support of  
15 Motion to Strike (the “Request for Judicial Notice”). The Motion to Strike and Request for  
16 Judicial Notice were heard on January 11, 2019. The Motion to Strike and the Request for  
17 Judicial Notice are currently pending before this Court.

18 4. Defendant has not yet responded to the Amended Complaint. Defendant intends  
19 to respond to the Amended Complaint following the Court’s anticipated order(s) on the Motion  
20 to Strike and Request for Judicial Notice.

21 5. The Parties have scheduled a Voluntary Dispute Resolution Program (“VDRP”)  
22 session with neutral Carolee Kilduff for July 9, 2019, which was the first date available for the  
23 neutral and the Parties.

24 6. The Parties are attempting to resolve this matter before incurring the expense of  
25 discovery and have informally agreed to stay discovery in this matter pending the outcome of the  
26 scheduled VDRP session on July 9, 2019.

27 7. The requested modification of deadlines in the Scheduling Order is supported by  
28 good cause, will promote judicial economy, and will further the interests of justice because the

1 modification will ensure that the pleadings are settled before this matter moves forward with  
2 substantive discovery and will permit the Parties to meaningfully explore whether this matter  
3 can be resolved without the need to further incur fees and expenses related to the litigation.

4           8.     In light of the above, the Parties have met and conferred and agreed to approach  
5 the Court regarding modifications to the Scheduling Order. The Parties stipulate and propose  
6 that the Scheduling Order be modified and that the deadlines in the extended by approximately  
7 six months, as follows:

- 8                   a)     Discovery Deadline ..... Friday, March 20, 2020
- 9                   b)     Disclosure of Expert Witnesses ..... Friday, March 27, 2020
- 10                  c)     Rebuttal List of Expert Witnesses ..... Friday, April 17, 2020
- 11                  d)     Expert Witness Discovery Deadline ..... Monday, May 18, 2020
- 12                  e)     Deadline for Motions to be Heard ..... Friday, June 19, 2020

13           9.     This is the first extension requested by the Parties for the deadlines reflected in  
14 the Scheduling Order.

15           10.    Pursuant to Civil Local Rule 131(e), counsel for Plaintiff has authorized the  
16 submission of this document.

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18 Dated: June 4, 2019

Respectfully submitted,  
KILPATRICK TOWNSEND & STOCKTON LLP

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By:                   /s/ Susan W. Pangborn                    
      Susan W. Pangborn  
Attorneys for Defendant AT&T SERVICES, INC.

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24 Dated: June 4, 2019

BUCKLEY BEAL LLP

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By:                   /s/ Thomas Mew (as authorized on 5/29/19)                    
      Thomas Mew (admitted *pro hac vice*)

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Attorneys for Plaintiff GLENNA STRONG

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1 **ORDER**

2 The Court, having considered the Parties' Stipulation and Request to Modify Scheduling  
3 Order, and good cause appearing therefore, hereby modifies the Scheduling Order as follows:

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<u>Event</u>	<u>Current Deadline</u>	<u>Revised Deadline</u>
Discovery closes	September 20, 2019	March 20, 2020
Expert disclosures	September 27, 2019	March 27, 2020
Rebuttal experts list	October 18, 2019	April 17, 2020
Expert discovery closes	November 18, 2019	May 18, 2020
Last day to hear dispositive motions	December 20, 2019	June 26, 2020 <sup>1</sup>

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10 DATED: June 4, 2019.

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13 UNITED STATES DISTRICT JUDGE  
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28 <sup>1</sup> The parties requested date, June 19, 2020, is not available on the court's civil law and motion calendar.