

1 Ross A. Boughton, Bar No. 241119
 2 rboughton@fordharrison.com
 3 Timothy L. Reed, Bar No. 258034
 4 treed@fordharrison.com **FORD &**
 5 **HARRISON LLP** 505
 6 Montgomery Street, Suite 1001
 7 San Francisco, CA 94111
 8 Telephone: 415-852-6910
 9 Facsimile: 415-852-6925

6 Attorneys for Defendant
 7 WALMART INC. (erroneously sued as
 8 WAL-MART STORES, INC.)

8 Timothy J. Gonzales, Bar No. 234923
 9 tg@brockgonzales.com
 10 Christopher P. Brandes, Bar No. 282801
 11 cb@brockgonzales.com
 12 Lindsay L. Bowden, Bar No. 318685
 13 lb@brockgonzales.com
 14 **BROCK & GONZALES, LLP**
 15 6701 Center Drive West, Suite 610
 16 Los Angeles, CA 90045
 17 Telephone: 310-294-9595
 18 Facsimile: 310-961-3673

14 Attorneys for Plaintiff
 15 JEROME CHAN

16 UNITED STATES DISTRICT COURT
 17 EASTERN DISTRICT OF CALIFORNIA

19 JEROME CHAN, an individual,
 20 Plaintiff,
 21 v.
 22 WAL-MART STORES, INC., an Arkansas
 23 corporation; and DOES 1-50, inclusive,
 24 Defendants.

Case No. 2:19-CV-00506-TLN-KJN

**JOINT STIPULATION TO MODIFY
 INITIAL PRETRIAL SCHEDULING
 ORDER; ORDER**

Complaint Filed: February 13, 2019
 Trial Date: None Set

JOINT STIPULATION

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IT IS HEREBY STIPULATED AND AGREED TO by and between plaintiff JEROME CHAN (“Plaintiff”), by his attorneys of record, and defendant WALMART INC., erroneously sued as WAL-MART STORES, INC., (“Defendant”), by its attorneys of record, that the following Stipulation may be entered as an Order by the Court to give effect to the stipulations set forth below, namely to modify and revise the dates set in the Initial Pretrial Scheduling Order (Dkt. No. 3):

1. **WHEREAS**, Plaintiff filed his Complaint in the Superior Court for the State of California, County of Solano on February 13, 2019;

2. **WHEREAS**, Defendant timely filed and served an Answer to Plaintiff’s Complaint in the Solano County Superior Court on March 20, 2019;

3. **WHEREAS**, on March 21, 2019, Defendant timely removed this action to the above- captioned Court;

4. **WHEREAS**, on March 22, 2019, this Court issued an Initial Pretrial Scheduling Order (“Pretrial Scheduling Order”), which ordered, *inter alia*, the following dates:

- a. Completion of discovery by November 15, 2019 (240 days from Initial Pretrial Scheduling Order);
- b. Designation of expert witnesses by January 14, 2020 (60 days from close of discovery);
- c. Designation of supplemental experts by February 13, 2020 (30 days from expert disclosure);
- d. Last day to file dispositive motions by May 13, 2020 (180 days from close of discovery);
- e. Last day to file joint notice of trial readiness, if no party intends to file a dispositive motion, by March 14, 2020 (120 from close of discovery).

5. **WHEREAS**, the Parties have diligently engaged in initial discovery.

1 **6. WHEREAS**, the Parties are exploring potential resolution of this case and are
2 actively discussing mediation.

3 **7. WHEREAS**, the Parties would like additional time to ensure that sufficient
4 discovery is completed such that the parties can determine whether this matter can resolve
5 through mediation.

6 **8. WHEREAS**, the Parties would like additional time to negotiate an informal
7 settlement and/or participate in mediation prior to completing discovery and filing
8 dispositive motions.

9 **9. WHEREAS**, good cause exists to modify the Pretrial Scheduling Order because
10 further litigation may be unnecessary if the parties are able to resolve the matter either informally
11 or through mediation.

12 **10. WHEREAS**, the parties have not requested any prior modification to the Pretrial
13 Scheduling Order and any successful efforts to resolve the case may result in freeing up the
14 Court's calendar.

15 **NOW, THEREFORE**, the Parties, by and through their respective counsel of record,
16 **AGREE AND HEREBY STIPULATE** that good cause exists to modify the Pretrial Scheduling
17 Order as follows:

- 18 a. Completion of discovery by January 14, 2020;
- 19 b. Designation of expert witnesses by March 14, 2020 (60 days from close of
20 discovery);
- 21 c. Designation of supplemental experts by April 13, 2020 (30 days from
22 expert disclosure);
- 23 d. Dispositive motion(s) filed by no later than July 12, 2020 (180 days from
24 close of discovery); and
- 25 e. Joint notice of trial readiness, if no party has filed a dispositive motion,
26 filed by no later than May 13, 2020 (120 days from close of discovery).

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IT IS SO STIPULATED.

Dated: October 11, 2019

BROCK & GONZALES, LLP

By: /s/ Lindsay L. Bowden (as authorized on October 11, 2019)
Lindsay L. Bowden, Esq.
Attorneys for Plaintiff
JEROME CHAN

Dated: October 11, 2019

FORD & HARRISON LLP

By: /s/ Ross A. Boughton
Ross A. Boughton, Esq.
Attorneys for Defendant
WALMART INC. (erroneously sued as WAL-MART
STORES, INC.)

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ORDER

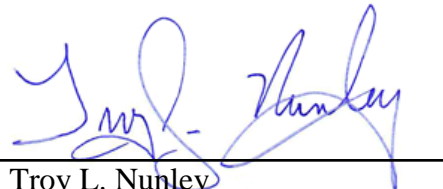
GOOD CAUSE APPEARING THEREFORE, IT IS HEREBY ORDERED that the

Pretrial Scheduling Order be modified as follows:

- a. Completion of discovery by January 14, 2020;
- b. Designation of expert witnesses by March 14, 2020 (60 days from close of discovery);
- c. Designation of supplemental experts by April 13, 2020 (30 days from expert disclosure);
- d. Dispositive motion(s) filed by no later than July 12, 2020 (180 days from close of discovery); and
- e. Joint notice of trial readiness, if no party has filed a dispositive motion, filed by no later than May 13, 2020 (120 days from close of discovery).

IT IS SO ORDERED.

Dated: October 15, 2019



Troy L. Nunley
United States District Judge