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6	CONTINENTAL CASUALTY COMPANY		
7			
8	UNITED STATES DISTRICT COURT		
9	FOR THE EASTERN DISTRICT OF CALIFORNIA		
10	CONTINTENTAL CASUALTY COMPANY,	CASE NO.: 2:19-cv-01975-KJM-CKD	
11	Plaintiff,	STIPULATION OF ALL PARTIES REQUESTING CONTINUANCE OF THE	
12	VS.	FACT DISCOVERY CUT-OFF SET FORTH IN THE COURT'S AMENDED	
13		SCHEDULING ORDER [DOC 28]; AND ORDER	
14	LETHESIA GUZMAN; FAAFETAI AND RACHEL TALIAOA; L. M., a minor by and through her Guardian Ad Litem THOMAS	OKDEK	
15	NICHOLS; D. M., and N. M., by and through their Guardian Ad Litem, Patricia Montejano,		
16	and DOES 1-10, inclusive,	Complaint Filed: 9/27/19	
17	Defendants.		
18			
19	The parties jointly request that the Court	modify the Scheduling Order (Docket 28), solely	
20	as to the fact discovery cut-off, for good cause.	FRCP 16(b)(4). The necessity for this request	
21	arises from the need to meet and confer and sche	edule the remaining discovery made upon a non-	
22	party, out-of-state entity, Sprint Corporation, following the recent entry of the Protective Order in		
23	this action.		
24	The undersigned, constituting all the part	ties appearing in this action, through undersigned	
25	counsel of record hereby stipulate to continue the current date set for the completion of fact		
26	discovery for sixty (60) days. All other dates set forth in the current Scheduling Order (Docket		
27			
28		- 1 -	
	Stipulation for Continuance of Current Dates and [Proposed] Order Case No.: 2:19-cv-01975-KJM-CKD		

Case 2:19-cv-01975-KJM-CKD Document 32 Filed 09/08/20 Page 2 of 5 1 28) shall remain unchanged. A trial date has not been set. The full list of scheduled dates and 2 proposed new dates are set forth below: 3 A. **Proposed Alternative Dates for Scheduling Order.** 4 **Event Dates per Current Scheduling Order (Docket 28):** 5 Close of Fact Discovery: September 10, 2020 6 Expert Designation: September 17, 2020 7 Exchange Rebuttal Designation: October 7, 2020 8 Close of Expert Discovery: December 4, 2020 9 Dispositive Motion Hearing Deadline: February 12, 2021 10 **Requested Event Date per Stipulation of Parties:** 11 Close of Fact Discovery: November 9, 2020 12 **B**. Statement of Good Cause for Requested Continuance of Discovery Cut-Off. 13 The parties request this change to the Scheduling Order for several reasons: 14 1. The parties have diligently undertaken to complete discovery via the exchange of written 15 discovery and remote depositions. The remote depositions taken to date include personnel 16 of non-party Sprint Corporation noticed by defendant Lethisia Guzman. The remote 17 deposition of defendant, Lethesia Guzman, is set for August 27, 2020. 18 2. The remaining discovery consists of subpoenas by defendant Lethesia Guzman for the 19 production of documents and for the depositions of persons most knowledgeable of Sprint 20 Corporation, the employer of the person assigned the vehicle involved in the accident 21 giving rise to the underlying actions and this insurance coverage action. The fact that 22 Sprint is a non-party, out-of-state corporation, and the COVID-19 outbreak and 23 consequent lockdowns, have created logistical obstacles to completing this remaining 24 discovery in the time allotted under the current Scheduling Order. These obstacles 25 include: 26 Sprint will be represented by other counsel not otherwise involved in this coverage a. 27 action. 28 Stipulation for Continuance of Current Dates and [Proposed] Order

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1	b. Sprint's counsel lacks access to in-person meetings making preparing for depositions	
2	difficult. In addition, the logistics of the document production and deposition	
3	preparation are compounded by the fact that the production of documents and	
4	depositions will be made under the Protective Order recently entered on August 20,	
5	2020.	
6	c. The inability to conduct in-person events makes it difficult to prepare for, attend	
7	depositions and defend depositions, both for the Sprint witnesses, Sprint's attorney	
8	and other counsel.	
9	3. Despite these obstacles, the parties believe that the remaining discovery may be completed	
10	via the production of an agreed upon scope of documents and topics of deposition of	
11	Sprint persons most knowledge, following a meet and confer on these issues. However,	
12	the meet and confer process and the document production and taking of the deposition(s)	
13	cannot be completed within the current fact discovery cut-off of September 10, 2020.	
14	Respectfully submitted,	
15		
16	DATED: August 21, 2020 CNA COVERAGE LITIGATION GROUP	
17		
18	By: <u>/s/ Robert C. Christensen</u> ROBERT C. CHRISTENSEN	
19	Attorneys for Plaintiff CONTINENTAL CASUALTY COMPANY	
20		
21	DATED: August 21, 2020 POWERS MILLER	
22	By: /s/ R. James Miller	
23	R. JAMES MILLER (SBN 170312)	
24	Attorneys for Defendant LETHESIA GUZMAN DATED: August 21, 2020 DREYER BABICH BUCCOLA WOOD	
25	DATED: August 21, 2020 DREYER, BABICH, BUCCOLA, WOOD, CAMPORA, LLP	
26		
27	By: <u>/s/ Marshall R. Way</u> MARSHALL R. WAY (SBN 305082)	
28	Attorneys for Defendant FAAFETIA TALIAOA - 3 -	
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1	DATED: August 21, 2020 ELLIOT M. REINER, APC
2	
3	By: <u>/s/Eliot M. Reiner</u> ELIOT M. REINER (SBN 142239)
4	Attorneys for Defendant RACHEL TALIAOA
5	
6	DATED: August 21, 2020 LARI-JONI & BASSELL, LLP
7	
8	By: <u>/s/Torsten M. Bassell</u> TORSTEN M. BASSELL (SBN 249331)
9	Attorneys for Defendant L. M., a minor by and through her Guardian Ad Litem THOMAS
10	NICHOLS
11	DATED: August 21, 2020 WILCOXEN CALLAHAM, LLP
12	
13	By: <u>/s/Drew M. Widders</u>
14	BLAIR H. WIDDERS (SBN 301741) DREW M. WIDDERS (SBN 245439)
15	Attorneys for Defendants D. M., and N. M., by and through their Guardian Ad Litem, PATRICIA MONTEJANO
16	
17	ATTESTATION PER LOCAL RULE 5-1(i)(3)
18	The e-filing attorney hereby attests that concurrence in the filing of the document has been
19 20	obtained from each of the other signatories indicated by a conformed signature (/s/) within this e-
20 21	filed document.
21	DATED: Avgust 21, 2020 CNA, COMEDA OF LITECATION CROWD
22	DATED: August 21, 2020 CNA COVERAGE LITIGATION GROUP
23 24	By: /s/ Robert C. Christensen
	ROBERT C. CHRISTENSEN Attorneys for Plaintiff CONTINENTAL
25 26	CASUALTY COMPANY
26 27	
27 28	
20	- 4 -
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1	PROPOSED ORDER	
2	For good cause appearing, it is hereby ordered that the fact discovery cut-off is extended	
3	for sixty (60) days from September 10, 2020 to November 9, 2020.	
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5	IT IS SO ORDERED.	
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8	Dated: September 8, 2020 Carop U. Delany	
9	CAROLYN K. DELANEY UNITED STATES MAGISTRATE JUDGE	
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