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8 Attorneys for Plaintiff
 9 CONTINENTAL CASUALTY COMPANY

10 UNITED STATES DISTRICT COURT
 11 FOR THE EASTERN DISTRICT OF CALIFORNIA

12 CONTINENTAL CASUALTY
 13 COMPANY,

14 Plaintiff,

15 vs.

16 LETHESIA GUZMAN; FAAFETAI AND
 17 RACHEL TALIAOA; L. M., a minor by and
 18 through her Guardian Ad Litem THOMAS
 19 NICHOLS; D. M., and N. M., by and through
 20 their Guardian Ad Litem, Patricia Montejano,
 21 and DOES 1-10, inclusive,

22 Defendants.

CASE NO.: 2:19-cv-01975-KJM-CKD

**STIPULATION OF ALL PARTIES
 REQUESTING CONTINUANCE OF THE
 FACT DISCOVERY CUT-OFF SET
 FORTH IN THE COURT'S AMENDED
 SCHEDULING ORDER [DOC 28]; AND
 ORDER**

Complaint Filed: 9/27/19

23 The parties jointly request that the Court modify the Scheduling Order (Docket 28), solely
 24 as to the fact discovery cut-off, for good cause. FRCP 16(b)(4). The necessity for this request
 25 arises from the need to meet and confer and schedule the remaining discovery made upon a non-
 26 party, out-of-state entity, Sprint Corporation, following the recent entry of the Protective Order in
 27 this action.

28 The undersigned, constituting all the parties appearing in this action, through undersigned
 counsel of record hereby stipulate to continue the current date set for the completion of fact
 discovery for sixty (60) days. All other dates set forth in the current Scheduling Order (Docket

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 a. Sprint will be represented by other counsel not otherwise involved in this coverage
27 action.
- 28

1 DATED: August 21, 2020

ELLIOT M. REINER, APC

2
3 By: /s/Eliot M. Reiner

4 ELIOT M. REINER (SBN 142239)
Attorneys for Defendant RACHEL TALIAOA

5
6 DATED: August 21, 2020

LARI-JONI & BASSELL, LLP

7
8 By: /s/Torsten M. Bassell

9 TORSTEN M. BASSELL (SBN 249331)
Attorneys for Defendant L. M., a minor by and
10 through her Guardian Ad Litem THOMAS
NICHOLS

11 DATED: August 21, 2020

WILCOXEN CALLAHAM, LLP

12
13 By: /s/Drew M. Widders

14 BLAIR H. WIDDERS (SBN 301741)
DREW M. WIDDERS (SBN 245439)
Attorneys for Defendants D. M., and N. M., by and
15 through their Guardian Ad Litem, PATRICIA
16 MONTEJANO

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 obtained from each of the other signatories indicated by a conformed signature (/s/) within this e-
20 filed document.
21

22 DATED: August 21, 2020

CNA COVERAGE LITIGATION GROUP

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24 By: /s/ Robert C. Christensen

25 ROBERT C. CHRISTENSEN
Attorneys for Plaintiff CONTINENTAL
26 CASUALTY COMPANY
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PROPOSED ORDER

For good cause appearing, it is hereby ordered that the fact discovery cut-off is extended for sixty (60) days from September 10, 2020 to November 9, 2020.

IT IS SO ORDERED.

Dated: September 8, 2020



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE