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10 Attorney for Defendant AMERICAN JANITORIAL &
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12 **UNITED STATES DISTRICT COURT**
 13 **EASTERN DISTRICT OF CALIFORNIA**

14 **HARTFORD UNDERWRITERS**
 15 **INSURANCE COMPANY,**

16 **Plaintiff,**

17 **vs.**

18 **AMERICAN JANITORIAL &**
 19 **MAINTENANCE SERVICES INC.,**

20 **Defendant.**

21 **CASE NO.: 2:19-CV-02016-KJM-JDP**

22 **Assigned to:**
 23 **Chief Judge Kimberly J. Mueller**

24 **JOINT STIPULATION TO CONTINUE**
 25 **PRETRIAL AND TRIAL DEADLINES**
 26 **AND ORDER**

27 **JURY TRIAL**

28 /

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned
 counsel for all parties that:

WHEREAS, Plaintiff HARTFORD UNDERWRITERS INSURANCE COMPANY filed
 their Complaint on October 4, 2019 in the United States District Court for the Eastern District of
 California;

WHEREAS, counsel for the parties have worked diligently to prepare their cases and to
 move forward expeditiously with discovery.

WHEREAS, the President of the United States has declared a national emergency in
 response to the outbreak of COVID-19, also known as the “Coronavirus” (Donald J. Trump,
 Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease

LAW OFFICES OF
 MICHAEL R. BARRETTE

JOINT STIPULATION TO CONTINUE
 PRETRIAL AND TRAIL DEADLINES AND ORDER

1 (COVID-19) Outbreak (Mar. 13, 2020), <https://www.whitehouse.gov/presidential->
2 [actions/proclamation-declaring-national-emergency-concerning-novel-coronavirus-disease-covid-](https://www.whitehouse.gov/presidential-actions/proclamation-declaring-national-emergency-concerning-novel-coronavirus-disease-covid-19-outbreak/)
3 [19-outbreak/](https://www.whitehouse.gov/presidential-actions/proclamation-declaring-national-emergency-concerning-novel-coronavirus-disease-covid-19-outbreak/);

4 WHEREAS, the Governor of the State of California declared a state of emergency on
5 March 4, 2020 in response to the outbreak of COVID-19 which has been followed by local and
6 statewide orders since and to current;

7 WHEREAS, one of Defendant AMERICAN JANITORIAL & MAINTENANCE
8 SERVICES INC.'s person most knowledgeable and person essential to the discovery process
9 has health issues that inhibited the speed at which Defendant AMERICAN JANITORIAL &
10 MAINTENANCE SERVICES INC. was able to produce complete written discovery responses
11 and for which Plaintiff HARTFORD UNDERWRITERS INSURANCE COMPANY granted
12 reasonable extensions.

13 WHEREAS, Plaintiff HARTFORD UNDERWRITERS INSURANCE COMPANY
14 required sufficient time to review Defendant AMERICAN JANITORIAL & MAINTENANCE
15 SERVICES INC.'s discovery responses before Plaintiff HARTFORD UNDERWRITERS
16 INSURANCE COMPANY was prepared to scheduled depositions.

17 WHEREAS, Defendant AMERICAN JANITORIAL & MAINTENANCE SERVICES
18 INC propounded written discovery on Plaintiff HARTFORD UNDERWRITERS
19 INSURANCE COMPANY, served December 28, 2020 via US Mail.

20 WHEREAS, Defendant AMERICAN JANITORIAL & MAINTENANCE SERVICES
21 INC requires sufficient time to review Plaintiff HARTFORD UNDERWRITERS
22 INSURANCE COMPANY's discovery responses.

23 WHEREAS, the parties mutual depositions of one another and depositions of witnesses
24 must be delayed beyond the current trial setting order's deadlines due to the delay of the
25 written discovery process caused by COVID-19, Defendant AMERICAN JANITORIAL &
26 MAINTENANCE SERVICES INC.'s person most knowledgeable health issues and the
27 COVID-19 safety requirements, both advised and mandatory, which limited access to certain
28 work places and document repositories.

1 WHEREAS, the Court ordered fact discovery cut-off date of FEBRUARY 1, 2021,
2 hearings on dispositive motions for MARCH 12, 2021 and a Settlement Conference to be
3 completed by APRIL 2, 2021.

4 WHEREAS, counsel for the parties have met and conferred regarding the long-term
5 impact of the national emergency, including shelter-in-place orders in effect throughout the
6 country, on preparing this case for trial, including obtaining records; locating, interviewing, and
7 deposing percipient witnesses; deposing treating physicians; and deposing corporate witnesses
8 of defendants.

9 WHEREAS, all parties agree that the continuing national emergency in response to the
10 outbreak of COVID-19 and essential persons health concerns necessitate a continuance of pre-trial
11 deadlines in order to allow the parties to adequately prepare their cases for trial.

12 Based on the foregoing, the parties propose and stipulate that the case schedule be
13 revised as follows:

- 14 • Fact discovery cut-off: May 3, 2021;
- 15 • Hearings on dispositive motions: June 11, 2021;
- 16 • Settlement Conference to be completed by: July 9, 2021.

17 Pursuant to Local Rule 5-4.3.4(a)(2)(i), the filing party hereby attests that all signatories
18 listed, and on whose behalf the filing is submitted, concur in this filing's content and have
19 authorized this filing.

20 Dated: February 2, 2021

By: /s/ Clay Coelho
Clay A. Coelho, Attorney for Plaintiff HARTFORD
UNDERWRITERS INSURANCE COMPANY

23 Dated: February 2, 2021

By: /s/ Michael Barrette
Michael R. Barrette, Attorney for Defendant
AMERICAN JANITORIAL & MAINTENANCE
SERVICES, INC.

26 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties,
27 through their respective counsel that:

- 1 1. Fact discovery cut-off is now May 3, 2021;
 - 2 2. Hearings on dispositive motions is now June 11, 2021;
 - 3 3. Settlement Conference to be completed by July 9, 2021.
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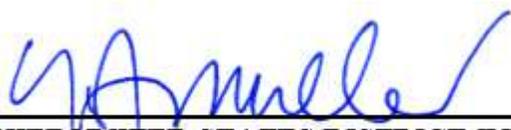
5 ORDER

6 The court ORDERS that:

- 7 1. Fact discovery cut-off is now May 3, 2021;
- 8 2. Hearings on dispositive motions is now June 18, 2021; and
- 9 3. Settlement Conference to be completed by July 9, 2021.

10 IT IS SO ORDERED.

11 DATED: February 16, 2021

12 
13 _____
14 CHIEF UNITED STATES DISTRICT JUDGE