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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 MARY SUE WEAVER; NORMAN P.
15 CREIGHTON, individually and as Trustee and
Beneficiary of the Norman P. Creighton 1996
16 Trust; and MORTGAGE LENDER SERVICES,
17 Defendants.

Case No.: 2:19-CV-02046-KJM-KJN

**STIPULATION TO CONTINUE DISCOVERY
AND EXPERT WITNESS RELATED
DEADLINES; ORDER
[FRCP 16(B)(4)]**

THE HONORABLE KIMBERLY J. MUELLER

Complaint Filed: 10/11/19
Trial Date: Not Set

18 Plaintiff, UNITED STATES OF AMERICA (“Plaintiff”), and defendants, MARY SUE
19 WEAVER and NORMAN P. CREIGHTON, individually and as Trustee and Beneficiary of the Norman
20 P. Creighton 1996 Trust, (collectively “Defendants”), by and through their respective undersigned
21 counsel respectfully submit the following Stipulation for Order to Modify Pre-Trial Scheduling Order
22 and [Proposed] Order pursuant to FRCP 16(b)(4). For good cause as shown herein, the parties seek an
23 extension of 60 days of all fact and expert discovery deadlines set forth in the Pre-Trial Scheduling
24 Order as delineated, *infra*.

RECITALS

WHEREAS, this Court entered its Status (Pretrial Scheduling) Order on February 25, 2020;

WHEREAS, the Status (Pretrial Scheduling) Order recites that:

- all discovery shall be completed September 30, 2020;
- all designation of expert witnesses and expert written reports shall be served by September 30, 2020;
- expert rebuttal disclosures shall be served by October 31, 2020; and
- all expert discovery shall be completed by December 31, 2020;

WHEREAS, Defendants reside in Scottsdale, Arizona; Defendants' counsels are located in Sacramento and Mather, California; and Plaintiff's counsel is located in Fresno, California;

WHEREAS, the party's Pre-Trial Scheduling Order was entered prior to the impact of COVID-19. The parties diligently commenced their discovery. However, COVID-19 has impacted and has caused delay to the party's discovery, including the ability to schedule and conduct depositions;

WHEREAS, the filing deadline for dispositive motions is January 31, 2022; the extension of discovery deadlines as stipulated by the parties will not impact this cut-off date or the orderly management of the litigation;

WHEREAS, trial in this matter has not been scheduled;

WHEREFORE, the parties have met, conferred and agreed, subject to this Court's approval, to stipulate to continue the deadlines for close of fact and expert discovery for 60 days, as follows:

Event	Current Date	New Date
Disclosure of Expert Witnesses	Sep. 30, 2020	Nov. 30, 2020
Supplemental Expert Disclosure	Oct. 31, 2020	Dec. 31, 2020
All Expert Discovery to be Completed	Dec. 31, 2020	Mar. 1, 2021
All Discovery to be Completed	Sep. 30, 2020	Nov. 30, 2020

All other terms of the Court's February 25, 2020 Status (Pretrial Scheduling) Order to remain in effect.

SO STIPULATED.

Dated: September ____, 2020

BANKS & WATSON

By: _____
 JAMES J. BANKS,
 Attorneys for Defendant
 MARY SUE WEAVER

Dated: September ____, 2020

WAGNER KIRKMAN BLAINE
 KLOMPARENS & YOUMANS LLP

By: _____
 CARL BLAINE,
 Attorneys for Defendant
 NORMAN CREIGHTON

Dated: September ____, 2020


UNITED STATES OF AMERICA

By: _____
 ROBIN TUBESING,
 Attorneys for Plaintiff,
 UNITED STATES OF AMERICA

ORDER

GOOD CAUSE appearing therefore, IT IS SO ORDERED.

Dated: September 14, 2020



 KENDALL J. NEWMAN
 UNITED STATES MAGISTRATE JUDGE

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