

1 MAYALL HURLEY, PC
 2 Nicholas John Scardigli (SBN 249947)
 3 2453 Grand Canal Blvd.
 4 Stockton, CA 95207
 5 Tele.: 209-477-3833
 6 Fax: 209-473-4818
 7 Email: nscardigli@mayallaw.com

8 Attorneys for Plaintiff
 9 JUAN OCHOA JR.

10 SEYFARTH SHAW LLP
 11 Lindsay S. Fitch (SBN 238227)
 12 lfitch@seyfarth.com
 13 Bradley D. Doucette (SBN 322611)
 14 bdoucette@seyfarth.com
 15 400 Capitol Mall, Suite 2300
 16 Sacramento, California 95814-4428
 17 Telephone: (916) 448-0159
 18 Facsimile: (916) 558-4839

19 Attorneys for Defendant
 20 COSTCO WHOLESALE CORPORATION

21 **UNITED STATES DISTRICT COURT**
 22 **EASTERN DISTRICT OF CALIFORNIA**
 23 **SACRAMENTO DIVISION**

24 JUAN OCHOA JR.,
 25 Plaintiff,

26 v.

27 COSTCO WHOLESALE CORPORATION and
 28 DOES 1-10, inclusive,
 Defendants.

Case No. 2:22-cv-02287-KJM-AC

**STIPULATION To Continue The Fact
 Discovery Cutoff To Coincide With The
 Expert Discovery Cutoff; [PROPOSED]
 ORDER**

Complaint Filed: November 18, 2022

1 Plaintiff JUAN OCHOA, JR. (“Plaintiff”) and Defendant COSTCO WHOLESALE
2 CORPORATION (“Defendant”) (collectively with Plaintiff, “the Parties”), by and through their
3 respective attorneys of record herein, hereby stipulate as follows:

4 **WHEREAS**, on June 30, 2023 this Court set a pre-trial case schedule which ordered, in part,
5 that all fact discovery be completed by March 15, 2024 and all expert discovery be completed by May
6 31, 2024. (Dkt. No. 16);

7 **WHEREAS**, the Parties have engaged in extensive discovery throughout this litigation and will
8 soon commence depositions, but require additional time to complete discovery and depositions before
9 the present fact discovery cutoff. In particular, Defense counsel is presently engaged in trials through
10 the majority of February and March. As such, the Parties have met and conferred and agreed to stipulate
11 to extend the fact discovery cutoff to coincide with the expert discovery cutoff of May 31, 2024 in
12 order to give the Parties more time to conduct the necessary discovery.

13 **WHEREAS**, this Court’s Standing Scheduling Order provides that “. . . the Magistrate Judge
14 may modify a discovery cutoff to the extent such modification does not have the effect of requiring a
15 change to the balance of the schedule.” (Dkt. No. 17);

16 **WHEREAS**, the Parties agree that a brief modification of the schedule to make the fact
17 discovery cutoff and expert discovery cutoff coincide should not require a change to the balance of the
18 schedule.

19 **IT IS SO STIPULATED.**

20
21 DATED: February 5, 2024


MAYALL HURLEY P.C.

22
23 By: 
24 _____
25 NICHOLAS F. SCARDIGLI
26 Attorneys for Plaintiff
27 JUAN OCHOA
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DATED: February 5, 2024

Respectfully submitted,
SEYFARTH SHAW LLP

By: 
Lindsay S. Fitch
Bradley D. Doucette

Attorneys for Defendant
COSTCO WHOLESALE CORPORATION

1 **[PROPOSED] ORDER**

2 The Court, having reviewed the Parties' Joint Stipulation To Continue The Fact Discovery
3 Cutoff to Coincide With The Expert Discovery Cutoff, and good cause appearing therefor, HEREBY
4 ORDERS AS FOLLOWS:

- 5 1. The present Fact Discovery Cutoff is continued to May 31, 2024.

6 IT IS SO ORDERED.

7 DATED: February 6, 2024

8 
9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE