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18 Attorneys for Defendant,
 19 GULF STREAM COACH, INC.

20 UNITED STATES DISTRICT COURT
 21 NORTHERN DISTRICT OF CALIFORNIA

22 AQUAIR VENTURES, LLC, ANTONIA
 23 CITRINO, and JOSEPH GEIGER,

24 Plaintiffs,

25 v.

26 GULF STREAM COACH, INC., and
 27 DOES 1 through 30,

28 Defendants.

Case No. C 08-02903 SC

~~STIPULATION TO CONTINUE
 TRIAL DATE AND [PROPOSED]
 ORDER~~

This stipulation is entered into by and between plaintiff, AQUAIR VENTURES, LLC,
 and defendant, GULF STREAM COACH, INC., by and through their respective attorneys of
 record, on the following recitals and terms:

RECITALS

1. The trial in this matter is set for June 15, 2009.
2. Defendant, GULF STREAM COACH, INC., has filed a motion to transfer the
 entire action to the United States District Court, District of Indiana, Northern Division (South

4 Bend), which was currently scheduled to be heard on May 15, 2009. The court has taken the
5 matter under submission.

6 3. In order to allow the hearing to be held and the parties to know whether the case
7 will be transferred, the parties stipulated to continue the discovery cutoff dates from those
8 currently set as follows:

- 9 a. Last day to complete non-expert discovery: May 21, 2009;
10 b. Last day to serve expert witness designation: May 18, 2009;
11 c. Last day to serve supplemental expert witness designation: May 28, 2009;
12 d. Last day to conduct expert witness depositions: June 5, 2009.

13 4. On or about May 13, 2009, the court approved the stipulation to continue
14 discovery. However, as the order on the motion has not yet been heard, and in order to avoid any
15 unnecessary expense in conducting depositions or retaining and disclosing experts, the parties
16 have held off on conducting depositions or disclosing experts.

17 5. The parties wish to avoid preparing for trial in two different venues, and therefore
18 stipulate to continue the trial to September of 2009, or to such other date as granted by this court.

19 **STIPULATION**

20 With the above facts taken into consideration, the parties hereby stipulate and agree as
21 follows:

- 22 1. The trial in this matter shall be continued to September of 2009, or such other date
23 as may be granted by this court.
- 24 2. The pre-trial conference will be continued to a new date as set by the court.
- 25 3. The discovery cutoff dates shall be continued from those currently set as follows:
- 26 a. Last day to complete non-expert discovery: July 20, 2009;
27 b. Last day to serve expert witness designation: July 31, 2009;
28 c. Last day to serve supplemental expert witness designation: August 14,

4 2009;

- 5 d. Last day to conduct expert witness depositions: August 28, 2009.
- 6 4. This stipulation may be executed in counterparts.
- 7 5. A facsimile and/or electronic signature shall be considered as valid as an original.
- 8
- 9

10 Dated: May 21, 2009

LAW OFFICES OF DONALD F. SETH

11
12 By: 

13 for DONALD F. SETH
14 Attorneys for Plaintiff,
15 AQUAIR VENTURES, LLC

16 Dated: May 21, 2009

17 COLEMAN & HOROWITT, LLP

18 By: 

19 DARRYL J. HOROWITT
20 Attorneys for Defendant,
21 GULF STREAM COACH, INC.

22 **[PROPOSED] ORDER**

23 The parties having so stipulated and good cause appearing therefor,

24 IT IS HEREBY ORDERED as follows:

- 25 1. The trial in this matter is continued to _____, 20__;
- 26 2. The pretrial conference is continued to _____, 20__;
- 27 3. The discovery cutoff dates are continued from those currently set to:
- 28 a. Last day to complete non-expert discovery: July 20, 2009;
- b. Last day to serve expert witness designation: July 31, 2009;

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c. Last day to serve supplemental expert witness deposition: August 14,
2009;

d. Last day to conduct expert witness depositions: _____ 2008

Dated: _____

