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Attorneys for Plaintiff, Cross Defendant, Third Party Defendant,  
Counter Defendant and Counter Claimant KFD Enterprises, Inc.,  
a California corporation dba Norman's Dry Cleaner, and  
Third Party Defendant Kenneth Daer

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KFD ENTERPRISES, INC., a California  
Corporation dba Norman's Dry Cleaner,

Plaintiff,

vs.

CITY OF EUREKA,

Defendant.

**Case No. CV-08-4571 MMC**

**STIPULATION AND [PROPOSED]  
ORDER TO EXTEND DISCOVERY  
DEADLINE TO DEPOSE MULTIMATIC  
ENTITIES**

**AND RELATED COUNTERCLAIMS  
AND THIRD PARTY CLAIMS**

Pursuant to Local Rule 37-3, Plaintiff KFD Enterprises, Inc. ("KFD") and defendants  
Multimatic LLC and The Kirrberg Corporation (collectively, "Multimatic"), hereby stipulate to  
extend the fact discovery deadline to August 31, 2012 for the purpose of deposing Multimatic's  
FRCP 30(b)(6) representatives. The current discovery deadline is July 30, 2012. Good cause for  
this one-month extension exists because Multimatic's designated FRCP 30(b)(6) representative  
and/or Gertrude Hahn reside in Germany and are not available for deposition before the July 30,

1 2012 deadline. The parties have made a good faith effort over the last several months to  
2 schedule these depositions to no avail due to scheduling conflicts and the fact Ms. Hahn resides  
3 abroad.

4 Good cause is further shown as these depositions are necessary for KFD to respond to  
5 Multimatic's motion for summary judgment, filed June 1, 2012 (Doc. No. 524), and set for  
6 hearing October 12, 2012. The Court granted the parties' request to modify the briefing schedule  
7 on Multimatic's motion for summary judgment to allow these depositions to occur. (See Doc.  
8 No. 531) The extension to the discovery deadline requested herein comports with the Court's  
9 scheduling order in Doc. No. 531.

10 The parties agree there is no prejudice by setting the deposition in August: all other  
11 discovery deadlines will remain unchanged, expert discovery does not close until October 26,  
12 2012, and trial is not set until March 11, 2013. Accordingly, the requested extension comports  
13 with FRCP 29(b) because it will not prevent discovery completion, hearing a related motion or  
14 interfere with trial.

15  
16 Dated: July 23, 2012

GREBEN & ASSOCIATES

17  
18 /s/ Jan A. Greben

19 JAN A. GREBEN  
20 JEFF COYNER  
21 DANIELLE DE SMETH  
22 Attorneys for Plaintiff and Counter-defendant  
23 KFD Enterprises, Inc.

24  
25 Dated: July 23, 2012

DONGELL LAWRENCE FINNEY LLP

26 /s/ Thomas F. Vandenburg

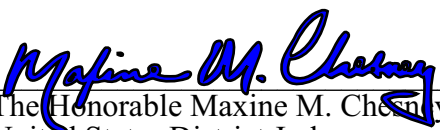
27 THOMAS F. VANDENBURG  
28 CHRISTOPHER W. SMITH  
Attorneys for Defendants Multimatic LLC, a New  
Jersey limited liability company and The Kirrberg  
Corporation, a New Jersey corporation

1 **GOOD CAUSE APPEARING, IT IS HEREBY ORDERED:**

2           The parties will have until August 31, 2012 to complete depositions of the Multimatic  
3 entities' FRCP 30(b)(6) representatives and/or Gertrude Hahn, individually.

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Dated: July 24, 2012

  
The Honorable Maxine M. Cheney  
United States District Judge