

1 **THOITS, LOVE, HERSHBERGER & McLEAN**

2 William J. McLean (Bar No. 039264)  
3 Stephen C. Gerrish (Bar No. 0612530)  
4 Andrew P. Holland (Bar No. 224737)  
5 285 Hamilton Avenue, Suite 300  
6 Palo Alto, California 94301  
7 Telephone: (650) 327-4200  
8 Facsimile: (650) 325-5572  
9 *Attorneys for Plaintiffs and Counterdefendants*  
10 *The McGraw Company and Western Service Contract Corp.*

8 **PRUETZ LAW GROUP LLP**

9 Adrian M. Pruetz (Bar No. 118215)  
10 ampruetz@pruetzlaw.com  
11 Erica J. Pruetz (Bar No. 227712)  
12 ejpruetz@pruetzlaw.com  
13 200 N. Sepulveda Blvd., Suite 1525  
14 El Segundo, California 90245  
15 Telephone: 310.765.7650  
16 Facsimile: 310.765.7641  
17 *Attorneys for Defendant and Counterclaimants*  
18 *H-D Michigan, LLC and Harley-Davidson*  
19 *Financial Services, Inc.*

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

20 THE MCGRAW COMPANY, a California  
21 corporation; and WESTERN SERVICE  
22 CONTRACT CORP. a California corporation,  
23 Plaintiffs,  
24 v.  
25 H-D MICHIGAN, LLC, a Michigan limited  
26 liability company; and HARLEY-DAVIDSON  
27 FINANCIAL SERVICES, INC., a Delaware  
28 corporation,  
Defendant.  
And Related Counterclaims.

CASE NO. CV10-00539 JSW  
STIPULATION TO EXTEND DISCOVERY  
DEADLINES AND ~~PROPOSED~~ ORDER  
THEREON

1 IT IS HEREBY STIPULATED by the parties hereto, through their respective counsel,  
2 pursuant to Civil Local Rule 6-2, that:

3 (1) the last day for expert disclosure be extended from April 4, 2011 to May 4, 2011; and

4 (2) the current non-expert discovery cut-off be extended from April 4, 2011 to May 4,  
5 2011.

6 All other court scheduled dates and deadlines shall remain the same.

7 Good cause exists to grant this extension as follows: the parties are working together to  
8 resolve this matter. The parties attended mediation on December 9, 2010. They are in the process  
9 of working out a settlement and anticipate reaching a mutual resolution shortly. To ensure the  
10 parties are not prejudiced by their attempts to settle, and to avoid potentially unneeded litigation,  
11 they mutually and in good faith, seek an extension of the remaining deadlines.

12 Previously, stipulations and orders resulted in the following time modifications:

13 On February 23, 2010, the parties stipulated and the Court ordered to extend the time for  
14 plaintiffs to file an amended complaint to March 10, 2010 and for defendant to respond to the  
15 complaint or first amended complaint, if applicable, to April 2, 2010.

16 On October 15, 2010, the parties stipulated and the Court ordered to extend the last day for  
17 fact discovery from January 12, 2011 to March 4, 2011, and the last day for expert discovery  
18 would be extended from March 25, 2011 to April 22, 2011.

19 On January 27, 2010, the parties stipulated and the Court ordered to extend all deadlines by  
20 approximately one month.

21 The stipulation and proposed order, if issued, would affect the fact and expert discovery  
22 cut-offs set by the Court via its scheduling order, dated June 21, 2010, Docket No. 20, in the  
23 manner shown in Schedule A attached hereto.

24 //

25 //

26 //

27 //

28

1 WHEREAS the last day for expert disclosure is April 4, 2011;

2 WHEREAS the current non-expert discovery cut-off is set for April 4, 2011;

3 WHEREAS the parties are currently in settlement negotiations and hope and anticipate  
4 resolution of this matter;

5 WHEREAS in light of current settlement discussions the parties have agreed to extend  
6 deadlines in this matter to save time and resources, avoid potentially unnecessary litigation and to  
7 ensure no party is prejudiced;

8 NOW THEREFORE, the parties, through their respective counsel, hereby stipulate to and  
9 request an order:

10 (1) extending the last day for expert disclosure of April 4, 2011 to May 4, 2011; and

11 (2) extending the current non-expert discovery cut-off of April 4, 2011 to May 4, 2011.

12

13

14

15 DATED: March 24, 2011

**THOITS, LOVE, HERSHBERGER & MCLEAN**

16

17

By /s/ Andrew P. Holland

18

\_\_\_\_\_  
Andrew P. Holland

19

Attorneys for Plaintiffs and Counterdefendants

20

McGraw Commercial Insurance Services and

Western Service Contract Corp.

21 DATED: March 24, 2011

**PRUETZ LAW GROUP LLP**

22

23

By /s/ Erica J. Pruetz

24

\_\_\_\_\_  
Erica J. Pruetz

25

Attorneys for Defendant and Counterclaimants

26

H-D Michigan, LLC and Harley-Davidson-

Financial Services, Inc.

27

28

1 **Declaration of Consent**

2 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under  
3 penalty of perjury that concurrence in the filing of this document has been obtained from Andrew  
4 P. Holland.

5

6 DATED: March 24, 2011

**PRUETZ LAW GROUP LLP**

7

8

By /s/ Erica J. Pruetz

9

Erica J. Pruetz  
Attorneys for Defendant and Counterclaimants  
H-D Michigan, LLC and Harley-Davidson-  
Financial Services, Inc.

10

11

12

13

14

15

16

17

18

19


20 **IT IS SO ORDERED.**

21 DATED: March 24, 2011

22

23

24

  
\_\_\_\_\_  
HON. JEFFREY S. WHITE  
United States District Judge

25

26

27

28