

1 BRYAN W. DILLON (State Bar No. 203052)
 bwd@singler-law.com
 2 JASON D. MAYNARD (State Bar No. 253076)
 jdm@singler-law.com
 3 BRUCE J. NAPELL (State Bar No. 115116)
 bjn@singler-law.com
 4 SINGLER, NAPELL & DILLON, LLP
 127 S. Main Street
 5 Sebastopol, California 95472
 Telephone: (707) 823-8719
 6 Facsimile: (707) 823-8737

7 Attorneys for Plaintiffs/Counterdefendants

8 UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 CASE NO: C 10-02460 JSW

11 ROBERT L. CAZET, an individual, et al.

12 Plaintiffs,

13 vs.

14 TOPPA EPPS, an individual, et al.

15 Defendants.

**Stipulation and Joint Motion for an
 Order Modifying the Scheduling Order**

16 TOPPA EPPS, an individual, et al.

17 Counterclaimants,

18 vs.

19 ROBERT L. CAZET, an individual, et al.

20 Counterdefendants.

SINGLER, NAPELL & DILLON, LLP
 127 S. Main Street, Sebastopol, CA 95472
 (707) 823-8719 (707) 823-8737 Fax

21
 22
 23
 24
 25
 26
 27
 28

1 **STIPULATION AND JOINT MOTION FOR AN ORDER MODIFYING SCHEDULING ORDER**

2 On November 8, 2010, the Court ordered the parties to this action to conduct an Early
3 Neutral Evaluation by February 28, 2011, to conclude fact discovery by March 1, 2011, to file
4 certification that all written discovery had been supplemented by January 28, 2011, and to conclude
5 expert discovery by April 7, 2011.

6 On January 28, 2011, on joint motion and stipulation by the parties, the Court modified the
7 Scheduling Order and ordered that the parties complete a private mediation on or before February
8 28, 2011, that the deadline to complete fact discovery would be extended to April 1, 2011, that the
9 parties serve supplemental responses to written discovery no later than 10 days after the close of fact
10 discovery and file a certification that supplementation is complete, and that expert discovery be
11 extended to May 7, 2011.

12 The mediation took place on February 15, 2011, but no settlement was reached.
13 Additionally, the mediator continued to work with the parties for some time thereafter. In
14 anticipation of the February mediation and with the expectation that a settlement might be reached,
15 both parties deferred conducting expensive and time-consuming discovery. However, in the
16 aftermath of the unsuccessful mediation, extensive discovery must now be completed. Plaintiffs and
17 Defendants have indicated that as many as 6-7 depositions will need to be taken on each side. Both
18 sides also anticipate serving further requests for production and/or moving to compel further
19 responses and/or production of documents, things, and computer storage data.

20 For the foregoing reasons, good cause exists for modifying the November 8, 2010
21 Scheduling Order, as modified on January 28, 2001. Wherefore the parties, through their respective
22 attorneys of record, agree and stipulate to the following:

- 23 1. The deadline to complete fact discovery shall be extended from April 1, 2011 to May 2,
24 2011;
- 25 2. No later than 10 days after the close of fact discovery, all parties shall serve any
26 supplemental responses to written discovery, and lead counsel for each party shall file with
27 the Court a certification that supplementation is complete;
- 28

1 All other deadlines in the Court's November 8, 2010 order - including the April 15, 2011
2 Case Management Conference, all dates relating to dispositive motions, and the trial date - shall
3 remain unchanged.

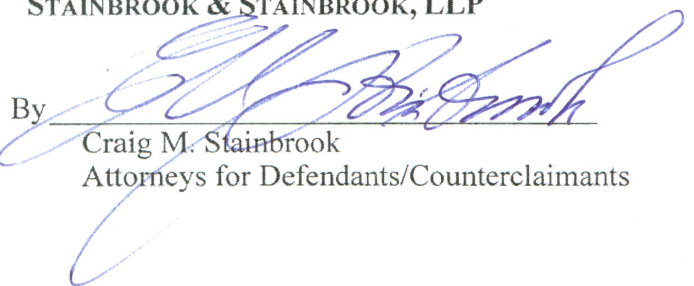
SINGLER, NAPELL & DILLON, LLP

4
5 Dated: March 10, 2011

6 By 
7 Jason D. Maynard
8 Attorneys for Plaintiffs/Counterdefendants

9
10 STAINBROOK & STAINBROOK, LLP

11 Dated: March 11, 2011

12 By 
13 Craig M. Stainbrook
14 Attorneys for Defendants/Counterclaimants

15
16 **GOOD CAUSE APPEARING, IT IS SO ORDERED.**

17 Dated: March 11, 2011

18 
19 HON. JEFFREY S. WHITE, DISTRICT JUDGE

20
21
22
23
24
25
26
27
28
SINGLER, NAPELL & DILLON, LLP
127 S. Main Street, Sebastopol, CA 95472
(707) 823-8719 (707) 823-8737 Fax