

1 WHEREAS, the current non-expert discovery cut-off is June 1, 2012;

2 WHEREAS, the parties desire to conduct depositions prior to the non-expert discovery
3 cut-off;

4 WHEREAS, the parties have met and conferred as to the scheduling of depositions and
5 counsel for Sonoma Tires and Rhiel has represented that he is scheduled to commence a jury trial
6 on May 29, 2012, is preparing for trial, and expects the jury trial to require thirty days;

7 WHEREAS, the parties have met and conferred with respect to written discovery in this
8 matter and Big O intends to produce additional documents to Sonoma and Rhiel;

9 WHEREAS, the current scheduling order allows for significant time between the non-
10 expert discovery cut-off and trial and the parties desire to use some of that time to allow for the
11 further production of documents and to allow for the most productive conduct of depositions in
12 an attempt to narrow the dispute, without extending the trial date;

13 IT IS THEREFORE STIPULATED AND JOINTLY REQUESTED that:

- 14 1. The Court order the time to complete party depositions without document
- 15 requests and non-expert non-party depositions with or without document requests,
- 16 be extended from June 1, 2012 to July 16, 2012;
- 17 2. The Court order that the deadline to have heard all pretrial motions, including but
- 18 not limited to any motion for summary judgment, be extended from September
- 19 13, 2012 to and including September 27, 2012; and
- 20 3. All other deadlines remain as set forth the Court's scheduling order.

21 **IT IS SO STIPULATED.**

22 SEYFARTH SHAW LLP

23 Dated: May 11, 2012 By /s/ Joseph J. Orzano

24 Joseph J. Orzano
Attorneys for Big O Tires, LLC

25 LAGARIAS & BOULTER, LLP

26 Dated: May 11, 2012 By /s/ Peter C. Lagarias

27 Peter C. Lagarias
Attorneys for Sonoma Tires, Inc. and
28 John G. Rhiel, IV

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[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED,

1. The parties shall have up to and including July 16, 2012 to complete party depositions without document requests and non-expert non-party depositions with or without document requests.
2. All pretrial motions shall be heard no later than September 27, 2012.
3. All other deadlines remain as set forth in the Court's scheduling order.

Dated: 5/14/12


The Honorable Richard Seeberg

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