

1 Matthew F. Miller, Bar No. 172661
 mmiller@cbmlaw.com
 2 Robert J. Nolan, Bar No. 235738
 rnolan@cbmlaw.com
 3 Wallace E. Smith, Bar No. 112091
 wallaces@cbmlaw.com
 4 **CARROLL, BURDICK & McDONOUGH LLP**
 Attorneys at Law
 5 44 Montgomery Street, Suite 400
 San Francisco, California 94104
 6 Telephone: 415.989.5900
 Facsimile: 415.989.0932
 7
 8 Attorneys for Plaintiff AMEC Environment &
 Infrastructure, Inc.

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 AMEC ENVIRONMENT &
 INFRASTRUCTURE, INC.,
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 Plaintiff,
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 v.
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 INTEGRAL CONSULTING, INC.,
 16 EDWARD P. CONTI, an individual,
 MATTHEW HILLYARD, an individual, and
 17 DAVID AVERILL, an individual,
 18
 Defendants.

Case No. CV 12-01735 SC (NC)

STIPULATION AND ORDER TO CONTINUE TRIAL DATE

IT IS SO ORDERED AS MODIFIED

19
 20 WHEREAS, on October 9, 2014, this Court entered an Order granting AMEC’s Motion for
 21 Integral to run AMEC search terms and ordered Integral to produce said documents on November
 22 12, 2014 (Dkt. 162) (“October 9 Order”);

23 WHEREAS, on October 23, 2014, Integral filed a Motion for Relief from Nondispositive
 24 Pretrial Order objecting in part to the collection, processing, and production of eleven (11)
 25 additional custodians and the application of certain search parameters and date restrictions, as
 26 ordered by the Court;

27 WHEREAS, on November 19, 2014, the Court issued an Order denying Integral’s Motion
 28 for Relief from Nondispositive Pretrial Order (“Order”) in which it noted, “Because the Court did

1 not issue an order denying the motion or setting a briefing schedule, the motion should have been
2 deemed denied as of November 6, 2014” (Order 4:14-15);

3 WHEREAS, Integral represents that it is working diligently to collect and process the
4 documents from eleven (11) additional custodians located across the United States and intends to
5 produce documents pursuant to the October 9 Order in January 2015;

6 WHEREAS, on December 3, 2014, the Court granted an Order permitting Plaintiff AMEC
7 Environment & Infrastructure, Inc. (“Plaintiff”) to file a First Amended Complaint (“FAC”) to add
8 David Averill as an individual defendant;

9 WHEREAS, on December 4, 2014, Plaintiff filed a FAC and the response of the newly
10 added defendant David Averill, whose response is not yet due;

11 WHEREAS, AMEC contends it needs to be able to review documents that are to be
12 produced by Integral so that AMEC may effectively prepare for depositions of AMEC and Integral
13 personnel;

14 WHEREAS, on December 9, 2014 AMEC objected to Integral’s Notice of 30(b)(6)
15 Deposition of AMEC, which Integral had noticed for December 22, 2014;

16 WHEREAS, on December 15, 2014, the parties cooperated with one another and agreed to
17 reschedule the 30(b)(6) depositions of AMEC to a new date and to attempt to coordinate mutually
18 available dates for counsel and witnesses as to certain topics while other topics remain under
19 discussion;

20 WHEREAS, at the hearing of Defendant Conti’s Motion to Compel Further Responses to
21 Interrogatories, on December 22, 2014, Magistrate Judge Nathanael Cousins ordered AMEC to
22 provide supplemental responses to Interrogatories 8, 9 and 10 by January 23, 2014, the current
23 date for the close of discovery;

24 WHEREAS, at the December 22 hearing, Judge Cousins noted that the supplemental
25 responses were due on January 23 because he could not alter deadlines set by Judge Conti, but he
26 would consider an extension of the deadline for AMEC to provide supplemental responses if the
27 trial and discovery deadline were continued;

28

1 WHEREAS, the parties, in consultation with each other, have agreed to continue the trial
2 date, provided the Court is in agreement and to have all pre-trial dates, including the dates for
3 completion of discovery, the taking of depositions, expert disclosures, and the hearing of
4 dispositive motions continued for the same duration as the trial date is continued;

5 WHEREAS, the parties have agreed to a continuance of the trial date to July 6, 2015;

6 WHEREAS, the parties have previously requested, and the Court granted a continuance of
7 the initial trial date of February 9, 2015 and all pre-trial deadlines in this case because of the
8 unavailability of plaintiff’s damages expert;

9 NOW THEREFORE, IT IS HEREBY STIPULATED by and between the parties hereto
10 through their respective attorneys of record as follows:

11 The parties stipulate to continue the trial date and have the trial of this matter commence
12 July 6, 2015;

13 The parties further stipulate to have all pre-trial dates, including the dates for filing and
14 hearing of dispositive motions, discovery, depositions, and expert disclosures to dates set by the
15 Court in accordance with the new trial date.

16 IT IS SO STIPULATED.

17 Dated: December 23, 2014 CARROLL, BURDICK & McDONOUGH LLP
18 By /s/ Wallace E. Smith
19 Wallace E. Smith
20 Attorneys for Plaintiff AMEC Environment &
Infrastructure, Inc.

21 Dated: December 23, 2014 LEWIS, BRISBOIS, BISGAARD & SMITH LLP
22 By /s/ Leo A. Bautista
23 Leo A. Bautista
24 Attorneys for Defendant Integral Consulting, Inc.
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1 Dated: December 23, 2014

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By /s/ Brendan Brownfield
Brendan Brownfield
Attorneys for Defendants Edward P. Conti and
Matthew Hillyard

ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that trial in this matter is hereby continued from April 27, 2015 to August 17, 2015. All discovery shall be completed and all depositions taken by May 29, 2015. The hearing date for dispositive motions, to be noticed in accordance with Civil Local Rule 7-2 is June 26, 2015. A pre-trial conference shall be held before the Court on August 14, 2015.

IT IS SO ORDERED.

DATED: ~~December~~ , 2014
January 9, 2015

