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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Lopez Tax Service, Inc.,

No. CV12-02654 JSW

Plaintiff,

**ORDER SCHEDULING TRIAL AND  
PRETRIAL MATTERS**

v.

The Income Tax School, Inc.,

Defendant.

Following the Case Management Conference, IT IS HEREBY ORDERED that the Case Management Statement is adopted, except as expressly modified by this Order. It is further ORDERED that:

**A. DATES**

Bench Trial Date: 2/3/2014, at 8:00 a.m., 5 day estimate

Pretrial Conference: Monday, 1/13/2014, at 2:00 p.m.

Last Day to Hear Dispositive Motions: Friday, 11/1/2013, 9:00 a.m.

If the parties plan to file cross-motions for summary judgment, they shall meet and confer and agree to a briefing schedule whereby:

- one party files an opening summary judgment motion by September 6, 2013
- the other party shall file its opposition and cross-motion by September 20, 2013
- the reply and opposition to the cross-motion is due by October 4, 2013
- the reply in support of the cross-motion is due by October 11, 2013

Last Day for Expert Discovery: 8/30/2013

Last Day for Expert Disclosure: 7/8/2013

Close of Non-expert Discovery: 6/3/2013

**B. DISCOVERY**

The parties are reminded that a failure voluntarily to disclose information pursuant to Federal Rule of Civil Procedure 26(a) or to supplement disclosures or discovery responses

1 pursuant to Rule 26(e) may result in exclusionary sanctions. Thirty days prior to the close of  
2 non-expert discovery, lead counsel for each party shall serve and file a certification that all  
3 supplementation has been completed.

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5 **C. PROCEDURE FOR AMENDING THIS ORDER**

6 No provision of this order may be changed except by written order of this court upon its  
7 own motion or upon motion of one or more parties made pursuant to Civil. L. R. 7-1 or 7-1-(b)  
8 without a showing of very good cause. If the modification sought is an extension of a deadline  
9 contained herein, the motion must be brought before expiration of that deadline. The parties  
10 may not modify the pretrial schedule by stipulation. A conflict with a court date set after the  
11 date of this order does not constitute good cause. The parties are advised that if they stipulate to  
12 a change in the discovery schedule, they do so at their own risk. The only discovery schedule  
13 that the Court will enforce is the one set in this order. Additionally, briefing schedules that are  
14 specifically set by the court may not be altered by stipulation; rather the parties must obtain  
15 leave of Court.

16 **IT IS SO ORDERED.**

17 Dated: November 8, 2012

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20 JEFFREY S. WHITE  
21 UNITED STATES DISTRICT JUDGE  
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