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17 NAMRATA C. PATEL, DDS

18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA

20  
21 NAMRATA C. PATEL, DDS,  
22 Plaintiff,

23 v.

24 AMERICAN ECONOMY INSURANCE  
25 COMPANY; GOLDEN EAGLE  
INSURANCE CORPORATION; SAFECO  
26 INSURANCE COMPANY OF AMERICA  
and DOES 1 THROUGH 50, INCLUSIVE,

27 Defendants.  
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CASE NO. C12-04719 WHO

**STIPULATION AND ORDER  
EXTENDING TIME TO COMPLETE  
DEPOSITIONS NOTICED PRIOR TO THE  
CURRENT NON-EXPERT DISCOVERY  
CUT-OFF DATE AND TO AMEND CASE  
MANAGEMENT ORDER AS TO DATES  
FOR EXPERT DISCLOSURES**

Honorable William H. Orrick

1 This Stipulation is hereby entered into between Plaintiff NAMRATA C. PATEL, DDS  
2 (hereafter “Plaintiff”) and Defendants AMERICAN ECONOMY INSURANCE COMPANY,  
3 GOLDEN EAGLE INSURANCE CORPORATION and SAFECO INSURANCE COMPANY  
4 OF AMERICA (hereafter collectively “Defendants”) (Plaintiff and Defendants are collectively  
5 referred to herein as “the Parties”).

6 The Parties stipulate by and through their respective counsel of record as follows:

7 1. Per the Case Management Scheduling Order issued by Judge Seeborg on December  
8 13, 2012, the deadline to complete non-expert discovery was July 19, 2013. The Parties have  
9 been diligently conducting discovery including by way of a site inspection and testing, oral  
10 depositions and written discovery, but due to the witness and schedules of both counsel and the  
11 trial schedule of plaintiff’s counsel, there remain depositions to complete that were initially  
12 noticed prior to the close of non-expert discovery.

13 2. Counsel for Plaintiff is presently in trial in the matter of *Kole, Inc. v. Hitek*  
14 *Automotive, Inc.* (Case No. 1 12 CV 228674) pending before the Honorable Kenneth P. Barnum  
15 in the Superior Court of the State of California for the County of Santa Clara. The case was  
16 originally set for July 10, 2013 and then continued by the court to July 22, 2013. Plaintiffs’  
17 counsel reasonably anticipated the trial shall be completed by August 15, 2013.

18 3. Counsel for Defendants will be out of state for pre-planned, pre-paid vacation from  
19 August 12 through August 16, 2013 and August 23 through September 3, 2013. Additionally, the  
20 corporate designee for the Rule 30(b)(6) depositions Plaintiff noticed will be out on medical leave  
21 following surgery from August 9, 2013 until September 2013.

22 4. To allow time to complete the outstanding depositions and any discovery motions  
23 related to discovery already served in light of the above scheduling conflicts, the Parties agree to  
24 extend the non-expert discovery cut-off up to and including September 20, 2013.

25 5. As the outstanding discovery is reasonably anticipated to effect the Parties’ respective  
26 expert designations and their opinions, the Parties further agree to extend the deadline to make  
27 initial expert designations and disclosures in accordance with Fed. R. Civ. P., Rule 26(a)(2) up to  
28 and including October 4, 2013 and further agree to extend the deadline to designate supplemental

1 and rebuttal experts in accordance with Fed. R. Civ. P., Rule 26(a)(2) up to and including October  
2 18, 2013.

3 6. No other dates set by the Case Management Scheduling Order and adopted by Judge  
4 Orrick' orders will be affected by the continuance of the dates agreed to in this stipulation.

5 Dated: July 29, 2013

ROPERS, MAJESKI, KOHN & BENTLEY

7 By: /s/ Pamela E. Cogan.

8 PAMELA E. COGAN

TINO X. DO

Attorneys for Defendants

AMERICAN ECONOMY INSURANCE

COMPANY, GOLDEN EAGLE

INSURANCE CORPORATION and

SAFECO INSURANCE COMPANY OF

AMERICA

12 Dated: July 29, 2013

MARCUS DANIEL MERCHASIN

14 By: /s/ Marcus D. Merchasin

MARCUS DANIEL MERCHASIN

Attorney for Plaintiff

NAMRATA C. PATEL, DDS

17 Dated: July 29, 2013

STEVEN FRANKLYN HELFAND

19 By: /s/ Steven F. Helfand

STEVEN FRANKLYN HELFAND

Attorney for Plaintiff

NAMRATA C. PATEL, DDS

22 **ORDER**

23 Pursuant to stipulation, IT IS HEREBY ORDERED that:

24 1. The non-expert discovery cut-off date is extended to September 30, 2013, but only  
to complete depositions or file discovery motions for discovery served prior to July 19, 2013.

25 2. The date for initial expert disclosures pursuant to Federal Rules of Civil Procedure  
26 26(a)(2) is continued to October 4, 2013.


27 3. The date for supplemental and rebuttal expert disclosures pursuant to Federal  
28 Rules of Civil Procedure 26(a)(2) is continued to October 18, 2013.

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4. All other dates set by the December 13, 2012 Case Management Scheduling Order remain unchanged. The Case Management Conference set for August 8, 2013 remains on calendar. The parties shall file a Joint Case Management Statement by August 1, 2013.

**IT IS SO ORDERED.**

DATED: July 30, 2013

  
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HON. WILLIAM H. ORRICK, III  
UNITED STATES DISTRICT JUDGE