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7 Attorneys for Defendant
 8 U.S. BANK NATIONAL ASSOCIATION, SUCCESSOR
 9 IN INTEREST TO THE FEDERAL DEPOSIT INSURANCE
 CORPORATION AS RECEIVER FOR DOWNEY SAVINGS
 AND LOAN ASSOCIATION, F.A.

10
 11 UNITED STATES DISTRICT COURT
 12
 13 NORTHERN DISTRICT OF CALIFORNIA

14 MARSHAL ROTHMAN

15 Plaintiff,

16 vs.

17 U.S. BANK NATIONAL ASSOCIATION
 18 & OLD REPUBLIC DIVERSIFIED
 19 SERVICES, INC. d/b/a OLD REPUBLIC
 DEFAULT MANAGERMENTS SERVICES

20 Defendants.

Case No: CV 13 3381

**STIPULATION AND
 [PROPOSED] ORDER MODIFYING
 PRETRIAL PREPARATION ORDER
 DENYING STIPULATION WITHOUT
 PREJUDICE**

Complaint Filed: July 19, 2013

Trial Date: June 22, 2015

1 Defendant, U.S. Bank National Association, Successor in Interest to the Federal Deposit
2 Insurance Corporation as Receiver for Downey Savings and Loan Association, F.A.
3 (“U.S. Bank”) and Plaintiff, Marshal Rothman (“Plaintiff”) (collectively, the “Parties”), through
4 the undersigned counsel hereby stipulate and agree as follows:

5 1. On May 30, 2014, this Court entered a Pretrial Preparation Order. [Docket
6 No. 74.] The Pretrial Preparation Order imposed the following deadlines:

<u>Event</u>	<u>Deadline</u>
• Non-Expert Discovery Cutoff	January 5, 2015
• Designation of Opening Experts	January 26, 2015
• Designation of Rebuttal Experts	February 13, 2015
• Expert Discovery Cutoff	March 6, 2015
• Further Status Conference Statement	March 6, 2015
• Further Status Conference	March 13, 2015 at 10:30 a.m.
• Deadline to File Dispositive Motions	March 20, 2015
• Meet and Confer	May 4, 2015
• Settlement Conference	<i>No later than 30 days prior to Pretrial Conference</i>
• Pretrial Conference	June 9, 2015 at 3:00 p.m.

19 2. Given the foregoing, the Parties agree to amend the Pretrial Preparation Order and
20 extend the deadlines as follows:

<u>Event</u>	<u>New Deadline</u>
• Non-Expert Discovery Cutoff	February 5, 2015
• Designation of Opening Experts	February 26, 2015
• Designation of Rebuttal Experts	March 13, 2015
• Expert Discovery Cutoff	April 6, 2015

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3. All remaining deadlines imposed by the Pretrial Preparation Order are unchanged.

THE FOREGOING IS STIPULATED AND AGREED TO BY:

Dated: October 14, 2014

GAW | POE LLP

By: 
Randolph Gaw

Attorneys for Plaintiff
MARSHAL ROTHMAN

Dated: October 15, 2014

NOSSAMAN LLP

By: 
Walter C. Dauterman, Jr.

Attorneys for Defendant
U.S. BANK NATIONAL ASSOCIATION, SUCCESSOR
IN INTEREST TO THE FEDERAL DEPOSIT
INSURANCE CORPORATION AS RECEIVER FOR
DOWNEY SAVINGS AND LOAN ASSOCIATION, F.A.

ORDER

DENIED without prejudice to resubmission with showing of good cause, see Fed. R. Civ. P. 16(b)(4), particularly given proposed expert discovery cutoff, which postdates dispositive motion filing deadline.

Dated: October 15, 2014


U.S. District Court Judge