

1 WILLIAM HAYS WEISSMAN, Bar No. 178976
 JOHANNA R. CARNEY, Bar No. 277946
 2 LITTLER MENDELSON, P.C.
 Treat Towers
 3 1255 Treat Boulevard, Suite 600
 Walnut Creek, California 94597
 4 Telephone: 925.932.2468
 Facsimile: 925.946.9809
 5 Email: wweissman@littler.com
 jcarney@littler.com

6 Attorneys for Defendant
 7 BANKERS LIFE AND CASUALTY COMPANY

8 LEEDS DISSTON, Esq. SBN 45016
 9 CASALINA & DISSTON
 418 Third Street, Suite 101
 10 Oakland, California 94607
 Telephone (510) 835-8110
 11 Facsimile (510) 835-8113
 casdiss@yahoo.com

12 Attorneys for Plaintiff
 13 TIMOTHY BATTS

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN FRANCISCO DIVISION

18 TIMOTHY BATTS,
 19 Plaintiff,

20 v.

21 BANKERS LIFE AND CASUALTY
 22 COMPANY and DOES 1 to 50,
 23 Defendants.

Case No. 3:13-cv-04394 SI

**STIPULATION AND [PROPOSED]
 ORDER RE: NON-EXPERT DISCOVERY
 AND DISPOSITIVE MOTION
 DEADLINES**

Judge: Hon. Susan Illston
 Dept: Courtroom 10 – 19th Floor

Trial Date: April 6, 2015

24 Pursuant to Civil Local Rule 7-12, Plaintiff Timothy Batts (“Plaintiff”) and Defendant
 25 Bankers Life and Casualty Company (“Defendant”) (collectively, “the Parties”) by and through their
 26 respective counsel, hereby agree and stipulate to the following:
 27
 28

1 1. Pursuant to the Court's February 10, 2014, Pretrial Preparation Order, the
2 non-expert discovery cutoff is presently September 30, 2014. Trial is currently set to commence on
3 April 6, 2015. Pursuant to Civil Local Rule 37-3, the last day to file non-expert discovery motions
4 to compel is presently October 7, 2014. Pursuant to the Court's February 10, 2014, Pretrial
5 Preparation Order, the deadline to file dispositive motions is presently October 17, 2014.

6 2. Due to scheduling and other conflicts, the Parties are unable to complete all
7 non-expert depositions prior to September 30, 2014. The Parties have agreed on the following
8 schedule for depositions:

9 a. Defendant will take Plaintiff Timothy Batts' deposition on September 29,
10 2014.

11 b. Plaintiff will take the depositions of Defendant's employees Roger Cardenas,
12 Robert Hadidian, and Mona Wolfe between October 1st and October 9th, with
13 the exact dates to be agreed upon via e-mail as soon as practicable, and
14 Plaintiff to issue amended deposition notices accordingly.

15 3. To allow for time to for the Parties to take these depositions, supplement
16 disclosures, and to conduct other necessary discovery, the Parties respectfully request that the non-
17 expert discovery cutoff be postponed until October 10, 2014. The Parties further request that the
18 deadline to file non-expert discovery motions to compel be set for October 17, 2014, pursuant to
19 Civil Local Rule 37-3.

20 4. In addition, to allow time for deposition transcripts to be ordered and made
21 available prior to the dispositive motion deadline, the Parties respectfully request that the deadline to
22 file dispositive motions be re-set for October 27, 2014.

23 //

24 //

25 //

26 //

27 //

28 //

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED: 9/26/14 _____ /s/ Leeds Disston _____

Leeds Disston
CASALINA & DISSTON
Attorneys for Plaintiff
Timothy Batts

DATED: 9/26/14 _____ /s/ Johanna R. Carney _____

William Weissman
Johanna Carney
LITTLER MENDELSON
Attorneys for Defendant
BANKERS LIFE AND CASUALTY
COMPANY

I, the filer of this document, attest that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: September 26, 2014 /S/ Johanna R. Carney _____

William Weissman
Johanna R. Carney
LITTLER MENDELSON, P.C.
Attorneys for Defendant
BANKERS LIFE AND CASUALTY COMPANY

[PROPOSED] ORDER

1. The non-expert discovery cutoff in the above-mentioned case shall be re-set for October 10, 2014.
2. The deadline to file non-expert discovery motions to compel shall be re-set for October 17, 2014.
3. The deadline to file dispositive motions shall be re-set for October ³¹~~27~~, 2014
HEARING SET: 12/5/14

PURSUANT TO STIPULATION, IT IS SO ORDERED.



DATED: 9/26/14 _____
United States District Judge Illston