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6 Attorneys for Defendant
 7 VIGO INDUSTRIES, LLC

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

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11 DAVID PAK, individual and doing business)
 as EAGLE's GENERAL CONSTRUCTION)
 12 COMPANY, JOSEPH PAK,)
)
 13 Plaintiffs,)
)
 14 vs.)
)
 15 VIGO INDUSTRIES, LLC, SURPLUS)
 DECOR.COM, DOES 1 TO 10,)
 16)
 Defendants.)
 17

Case No.: 14-CV-02033 MEJ

**STIPULATION AND ~~PROPOSED~~
 ORDER EXTENDING DEADLINE FOR
 EXPERT WITNESS DISCLOSURE**

Complaint Filed: December 23, 2013
 Trial Date: August 3, 2015

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19 The undersigned, attorneys for the parties herein, hereby stipulate to the following facts
 20 and jointly request that the Court issue an order extending the deadline for expert witness
 21 disclosure in this matter from February 26, 2015 to March 27, 2015.

22 The parties stipulate as follows:

23 This is an action for water damage to a home owned by the plaintiffs in South Lake Tahoe,
 24 California. The plaintiffs claim that the home, which they purchased jointly for \$150,000,
 25 sustained damage with a repair cost in excess of \$100,000 due to a defective valve in a shower
 26 panel that was purchased from the defendant via the internet in late 2011. The damage to the
 27 home occurred in late 2012.

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1 The defendant had no knowledge of plaintiff's claims until being served with the complaint
2 in this action in April 2014. The action was originally filed in the San Mateo Superior Court and
3 removed to this Court in May 2014.

4 Plaintiff David Pak is the primary witness with knowledge of the circumstances giving rise
5 to claimed damages. His deposition in this matter was taken on November 5, 2014, at which time
6 Mr. Pak produced voluminous documents and photographs for the first time.

7 In its initial case management scheduling order, issued on July 24, 2014, this Court
8 scheduled expert witness disclosures for December 19, 2014. On December 17, 2014, the Court
9 granted the parties' first request to extend the deadline for expert witness disclosures until
10 February 26, 2015 to allow defendant's expert to inspect the subject valve.

11 On January 27, 2015, the parties took part in mediation, through the Court's mediation
12 program, with mediator Mark F. Katz. The case did not resolve at mediation.

13 Immediately following mediation, defendant began efforts to retain an appropriate general
14 contractor expert to evaluate the extent of alleged damage and cost of repair, but its expert has yet
15 to prepare a written report compliant with Federal Rule of Civil Procedure 26(a)(2)(b) because its
16 expert has not had the opportunity to perform an inspection of the home. Specifically, Mr. Pak
17 recently underwent surgery and cannot make the home available for a site inspection until
18 March 5, 2015.

19 Counsel for the defendant and its expert need additional time to investigate the claimed
20 damages, so that the defendant's insurer can adequately make a reasoned decision about the
21 appropriate settlement value of the case prior to the expert witness disclosure deadline.

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1 Wherefore, the parties jointly request that the Court issue an order extending the deadline
2 for expert witness disclosure to March 27, 2015. Such an extension will not affect the timing of
3 the trial date or the deadline for filing dispositive motions.

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5 DATED: February 20, 2015

6 BOORNAZIAN, JENSEN & GARTHE
A Professional Corporation

7
8 By: /s/ Lauren O. Miller
9 LAUREN O. MILLER, ESQ.
Attorneys for Defendant

10 DATED: 2/20/2015

11 ALBERT L. BOASBERG, ESQ.

12
13 By: /s/ Albert L. Boasberg
14 ALBERT L. BOASBERG, ESQ.
Attorney for Plaintiffs

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17 ~~PROPOSED~~ ORDER

18 GOOD CAUSE appearing therefor, and the parties having so stipulated, the deadline for
19 expert witness disclosure is hereby extended to March 27, 2015

20 **IT IS SO ORDERED**

21 Dated: February 23, 2015

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23 _____
Hon. Maria-Elena James
United States Magistrate Judge