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BIRNBERG & ASSOCIATES
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Attorneys for Plaintiff
MICHAEL HERRERA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL HERRERA,)	Case No. Civ- 14-2295 SI
)	
Plaintiff,)	
)	
vs.)	STIPULATION AND [PROPOSED]
)	ORDER TO CONTINUE EXPERT
NEFF RENTAL, LLC.,)	WITNESS DISCLOSURES
)	
Defendant,)	
)	
and)	
)	
PORTS INSURANCE COMPANY, INC.,)	
)	
Intervening Plaintiff.)	
_____)	
)	
NEFF RENTAL, LLC.,)	
)	
Third-Party Plaintiff,)	
)	
vs.)	
)	
MARINE TERMINALS CORPORATION,)	
d.b.a. PORTS AMERICA,)	
)	
Third-Party Defendant.)	
_____)	

STIPULATION AND [PROPOSED] ORDER TO CONTINUE EXPERT WITNESS DISCLOSURES

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WHEREAS, the last day to exchange expert witness reports, by counsel agreement, was October 9, 2015 and last day to exchange rebuttal expert witness reports was October 26, 2015;

WHEREAS, the parties' and their experts have been engaged in negotiations regarding additional testing; and,

WHEREAS, the parties' have scheduled a private mediation for November 17, 2015 and a settlement conference with Magistrate Judge Laurel Beeler previously set for December 3, 2015 and now vacated;

The parties, by and through their counsel of record, have agreed and therefore stipulate to request that the:

Last Day to Designate and Exchange Expert Reports be November 30, 2015;

Last Day to Designate and Exchange Rebuttal Expert Reports be December 18, 2015; and

Expert Witness Discovery Cutoff be January 18, 2015.

Respectfully submitted.

Dated: November 6, 2015

BIRNBERG & ASSOCIATES

By: /s/ Cory A. Birnberg
Cory A. Birnberg
Attorneys for Plaintiff, MICHAEL HERRERA

Dated: November 6, 2015

GIBSON ROBB & LINDH

By: /s/ Jennifer Tomlin Sanchez
Jennifer Tomlin Sanchez
Attorneys for Defendant & Third-Party Plaintiff,
NEFF RENTAL, LLC

(next page)

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Dated: November 6, 2015

COX, WOOTTON, LERNER, ET AL.

By: /s/ Max L. Kelley

Max L. Kelley

Attorneys for Intervening Plaintiff &
Third-Party Defendant, PORTS INSURANCE CO.,
and MARINE TERMINALS CORP., d.b.a. PORTS AMERICA

[PROPOSED] ORDER

APPROVED AND SO ORDERED.

Dated: November 6 , 2015

By: Susan Illston

The Honorable Susan Illston
United States District Court Judge
Northern District of California

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