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 11 TERMINIX INTERNATIONAL, INC. and
 12 THE TERMINIX INTERNATIONAL COMPANY
 12 LIMITED PARTNERSHIP

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

17	PROMETHEUS REAL ESTATE GROUP, INC.,)	CASE No. 3:15-CV-02234 HSG
18	Plaintiff(s),)	
19	vs.)	STIPULATION TO AMENDED
)	SCHEDULING ORDER
20	TERMINIX INTERNATIONAL, INC., A Delaware)	Complaint Filed: April 8, 2015
21	Corporation, THE TERMINIX INTERNATIONAL)	
21	COMPANY LIMITED PARTNERSHIP, et al.,)	Trial Date: April 10, 2017
22	Defendant(s).)	
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25)	
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1 THE PARTIES TO THIS ACTION DO HEREBY STIPULATE to the following
 2 amendments to the Case Management Schedule Order “CMSO” of October 5, 2016. The parties
 3 have meet, conferred, and mutually agreed that despite their diligent efforts additional time is
 4 necessary to prepare this matter for an eventual trial. The parties have agreed to, and are seeking
 5 the Court’s consent, to extend the trial date on this matter for forty-five (45) days. The parties have
 6 also worked through the additional Case Management Schedule Order dates and proposed the
 7 following amended schedule:

Event	Schedule Per October 5, 2016 CMSO	Amended Schedule
Fact Discovery Cutoff	December 5, 2016	January 19, 2017
Exchange of Initial Expert Report	November 28, 2016	Feb 17, 2017
Expert Discovery Cutoff	December 26, 2016	March 17, 2017
Dispositive Motions Hearing Deadline	February 9, 2017 at 2:00pm	May 4, 2017 at 2:00 p.m.
Pretrial Conference	March 28, 2017 at 3:00pm	May 11, 2017 at 3:00 p.m.
Jury Trial	April 10, 2017 at 8:30am	May 25, 2017 at 8:30am

20 Good Cause exists in this instance as the amendments are necessitated in light of the
 21 pending fact discovery and the need for its completion before expert discovery can take place.
 22 Moreover, expert reports and discovery cannot proceed in a comprehensive manner until fact
 23 discovery is completed. The present CMSO has expert discovery dates that overlap the fact
 24 discovery cutoff date. The parties have been working cooperatively and extensively to complete
 25 discovery, including written discovery responses and depositions. Despite best efforts by all
 26 parties, it is evident that fact discovery cannot be completed without it impacting expert discovery
 27 and eventually trial preparation. Therefore the parties are proposing a short extension of the
 28 timeline to allow completion of both.

1 THEREFORE, THE PARTIES HEREBY STIPULATE to the following amendments to the
2 CMSO and respectfully request this Court's consent.

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4 **IT IS SO ORDERED.**

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6 Dated: _____

HAYWOOD S. GILLIAM, JR
United States District Judge

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8 Approved as to Form:

9 Dated: November 23, 2016

PERRY, JOHNSON, ANDERSON,
MILLER & MOSKOWITZ, LLP

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11 By: /s/ Oscar A. Pardo

DAVID F. BEACH
OSCAR A. PARDO
Attorneys for Plaintiff
PROMETHEUS REAL ESTATE GROUP,
INC.

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15 Dated: November 23, 2016

HINSHAW & CULBERTSON, LLP

16 By: /s/ Mary Hess

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MARY HESS
Attorney for Defendants
TERMINIX INTERNATIONAL, INC. and
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