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21 Attorneys for Defendant  
 22 BERKELEY MILLWORK  
 23 AND FURNITURE CO. INC.

24 **UNITED STATES DISTRICT COURT**  
 25 **NORTHERN DISTRICT OF CALIFORNIA**

26 JILL CAKEBREAD and STEVE CAKEBREAD,

27 Plaintiffs,

28 v.

29 BERKELEY MILLWORK AND FURNITURE  
 30 CO., INC.,

31 Defendant.

32 *and related counterclaims.*

Civil Case No.: 16-cv-00083-RS

**STIPULATED REQUEST FOR ORDER  
 EXTENDING DEPOSITION AND  
 DISPOSITIVE MOTION FILING  
 DEADLINES AND ~~PROPOSED~~ ORDER**

1 Pursuant to Local Rule 6-2, IT IS HEREBY STIPULATED by and between Jill and Steve  
2 Cakebread and Berkeley Millwork & Furniture Co., Inc., through their respective counsel, that, if the  
3 Court approves, the current deadlines for completion of depositions and filing of dispositive pretrial  
4 motions, and the dates of the final pretrial conference and beginning of trial, be extended as set forth  
5 below. The stipulation is based on the following:

6 1. The parties have a pending discovery dispute and motion for sanctions before  
7 Judge Donna M. Ryu set for hearing on October 27, 2016. ECF No. 42. Relatedly, the Court postponed  
8 consideration of the Cakebreads' Motion for Summary Judgment on Berkeley Millwork's counterclaims  
9 until the discovery dispute is resolved. ECF No. 38.

10 2. Given these pending motions, the parties cannot complete depositions and file other  
11 dispositive pretrial motions by the current deadlines of November 7 and November 17, respectively.

12 3. The parties propose and stipulate to a revised schedule as to these dates:

- 13 • On or before December 16, 2016, the parties must complete all depositions.
- 14 • On or before December 30, 2016, the parties must file and serve all dispositive pretrial  
15 motions.
- 16 • The final pretrial conference will be held on April ~~21, 2017~~<sup>20, 2017</sup>.
- 17 • Trial will begin on May 1, 2017.

18 4. The parties have not previously modified any deadlines in this case.

19 5. The parties respectfully ask that the Court grant their request.

20 6. Counsel for each party declares under penalty of perjury that the foregoing is true and  
21 correct.

22 \* \* \*

1 Per Local Rule 5-1(i)(3), the filer of this document hereby attests that the concurrence to the  
2 filing of this document has been obtained from the other signatory.

3  
4 DATED: October 24, 2016

COVINGTON & BURLING LLP

5 By: /s/Ethan Forrest

6 Clara J. Shin  
Ethan Forrest

7 Attorneys for Plaintiffs and  
8 Counter-Defendants  
9 JILL CAKEBREAD and  
STEVE CAKEBREAD

10 DATED: October 24, 2016

LAW OFFICE OF MELVIN D. HONOWITZ  
& ASSOCIATES

11 By: /s/Eric C. Shaw

12 Melvin D. Honowitz  
13 Eric C. Shaw

14 Attorneys for Defendant and Counter-  
15 Claimant BERKELEY MILLWORK  
16 AND FURNITURE CO., INC.

17  
18  
19  
20 **ORDER ~~PROPOSED~~**

21 Pursuant to stipulation, IT IS SO ORDERED.

22 DATED: 10/24/16

23   
24 HONORABLE RICHARD G. SEEBORG  
25 UNITED STATES DISTRICT JUDGE