

1 Michael C. Wenzel, State Bar No. 215388
 2 Jashoda K. Kashyap, State Bar No. 295391
 3 BERTRAND, FOX, ELLIOT, OSMAN & WENZEL
 4 The Waterfront Building
 5 2749 Hyde Street
 6 San Francisco, California 94109
 Telephone: (415) 353-0999
 Facsimile: (415) 353-0990
 Email: mwenzel@bfesf.com

7 Attorneys for Defendant
 8 JOHN PAUL WILLIAMS

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

11 GARY MARTINOVSKY, M.D., and
 12 INTEGRATED PAIN CARE, INC.,

13 Plaintiffs,

14 v.

15 DA INSPECTOR JOHN PAUL WILLIAMS,
 16 CALIFORNIA DEPARTMENT OF
 17 INSURANCE DETECTIVE FERNANDO
 CUBANGBANG, and DOES 1 to 20,

18 Defendants.

Case No. 3:16-cv-00403-MMC

**STIPULATION TO CONTINUE DISCOVERY
 DEADLINES AND TRIAL DATE; ~~PROPOSED~~
 ORDER**

Hon. Maxine M. Chesney

STIPULATION

21 IT IS HEREBY STIPULATED AND REQUESTED BY the parties to the above-captioned
 22 matter that all pretrial dates in this matter be further continued and that the trial date be continued from
 23 June 11, 2018, to October 11, 2018 or a date thereafter that is convenient to the Court.

24 This case arises from the arrest of plaintiff GARY MARTINOVSKY for fraud and the search of
 25 his clinic, plaintiff INTEGRATED PAIN CARE, Inc. by former Alameda County District Attorney
 26 Inspector JP WILLIAMS and California Department of Insurance Detective FERNANDO
 27 CUBANGBANG. Plaintiffs have alleged that they have suffered economic and noneconomic harm as a
 28 result of defendants' CUBANGBANG and WILLIAMS' conduct.

1 By order dated June 15, 2017, a Settlement Conference before Magistrate Judge Laurel Beeler
2 was scheduled for October 24, 2017, at the request of all parties (as the parties had a conflict with the
3 previously scheduled date of July 26, 2017). The parties requested this Court continue the pretrial and
4 trial dates accordingly. This Court issued an Order continuing the pretrial and trial dates on July 7, 2017.
5 (Docket No. 78.)

6 In preparation for the October 24, 2017 Settlement Conference, the parties began conducting
7 discovery. Counsel for WILLIAMS propounded requests for production of documents to plaintiffs
8 GARY MARTINOVSKY and his business, INTEGRATED PAIN CARE, INC. seeking financial records
9 necessary to evaluate their claims for business loss. Plaintiffs provided some records, but outstanding
10 records are still being compiled. Counsel for defendants WILLIAMS and CUBANGBANG began taking
11 plaintiff GARY MARTINOVSKY'S deposition on September 21, 2017, but were unable to complete it,
12 given the complex issues in this matter. The parties agreed that MARTINOVSKY'S deposition should be
13 completed in order to fully evaluate his damages claim, and agreed that defendants should be given
14 additional time to obtain and analyze plaintiff's financial records. In addition, the parties agreed that
15 additional time was needed for plaintiff to depose WILLIAMS and CUBANGBANG.

16 The parties submitted a stipulation to Magistrate Judge Beeler, requesting a continuance of the
17 Settlement Conference, for the reasons set forth above. In response, on October 9, 2017, Magistrate
18 Judge Beeler issued an Order continuing the Conference to January 17, 2018. (Docket No. 79.)

19 The further continuance of pretrial dates and the trial date requested herein will permit the parties
20 to complete MARTINOVSKY'S deposition, and conduct WILLIAMS' and CUBANGBANG's
21 deposition, in order to meaningfully participate in a settlement conference, and will permit time to
22 complete remaining necessary discovery after the Settlement Conference in the event that the parties do
23 not reach an agreement at the Settlement Conference. Absent a further continuance, the parties will be
24 required to complete all discovery before the Settlement Conference, and incur significant expert costs,
25 all of which may prove to be unnecessary.

26 For the reasons set forth above, the parties respectfully request that this Court continue all
27 previously-set dates (as contained in Docket No. 78) as follows:
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Event	Current Dates	Proposed Dates
Non-Expert Discovery Cutoff	12/18/2017	3/19/2018
Expert Disclosures	1/15/2018	4/16/2018
Disclosure of Rebuttal Experts	1/25/2018	4/26/2018
Expert Discovery Cutoff	2/15/2018	5/16/2018
Last Day to File Dispositive Motions	3/1/2018	5/30/2018
Pretrial Conference	5/22/2018	8/21/2018
Trial	6/11/2018	10/11/2018

The parties respectfully request that the Court approve this stipulation and incorporate its terms in an Order.

IT IS SO STIPULATED.

Dated: October 18, 2017

BERTRAND, FOX, ELLIOT, OSMAN & WENZEL

By: /s/ Michael Wenzel
Michael C. Wenzel
Attorneys for Defendant
JOHN PAUL WILLIAMS

Dated: October 18, 2017

ATTORNEY GENERAL OF CALIFORNIA

By: /s/ John Devine
John Devine
Attorneys for Defendant
FERNANDO CUBANGBANG

Dated: October 18, 2017

THE LAW OFFICES OF JOHN BURTON

By: /s/ John Burton
John Burton
Attorneys for Plaintiffs
GARY MARTINOVSKY, M.D., and INTEGRATED
PAIN CARE, INC.

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ATTORNEY ATTESTATION

I hereby attest that I have on file all holograph signatures for any signatures indicated by a conformed signature (“/s/”) within this E-filed document or have been authorized by all parties to show their signature on this document as /s/.

Dated: October 18, 2017

By: /s/ Michael Wenzel
Michael C. Wenzel

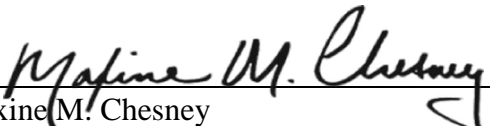
1 **ORDER**

2 GOOD CAUSE APPEARING THEREFORE, and the parties' having stipulated to the same, the
3 parties' stipulation is hereby APPROVED. The Court orders the following deadlines:

4 Event	Dates
5 Non-Expert Discovery Cutoff	3/19/2018
6 Expert Disclosures	4/16/2018
7 Disclosure of Rebuttal Experts	4/26/2018
8 Expert Discovery Cutoff	5/16/2018
9 Last Day to File Dispositive Motions	5/30/2018
10 Pretrial Conference	8/21/2018 9/4/2018, at 3:00 p.m.
11 Trial	10/11/2018 9/17/2018

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13 **IT IS SO ORDERED.**

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15 Dated: October 26, 2017


16 Maxine M. Chesney
17 UNITED STATES DISTRICT COURT JUDGE