

Haight

1 Kevin R. Crisp (Bar No. 97504)  
*kcrisp@hbblaw.com*  
 2 Renata L. Hoddinott (Bar No. 251714)  
*rhoddinott@hbblaw.com*  
 3 HAIGHT BROWN & BONESTEEL LLP  
 Three Embarcadero Center, Suite 200  
 4 San Francisco, California 94111  
 Telephone: 415.546.7500  
 5 Facsimile: 415.546.7505

6 Attorneys for Defendants Black & Decker  
 (U.S.) Inc. erroneously named and served as  
 7 DeWalt Industrial Tool Co.

8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**

11 TUBO GIPSON,  
 12 Plaintiff,  
 13 v.  
 14 BLACK & DECKER (U.S.) INC.,  
 15 Defendant.

Case No. 3:16-CV-03114-LB

Assigned to: Hon. Laurel Beeler

**STIPULATION AND ~~[PROPOSED]~~  
 ORDER FOR EXPERT  
 DISCLOSURES AND FACT  
 DISCOVERY CUT-OFF**

Trial Date: September 25, 2017

17 IT IS HEREBY STIPULATED by and between Plaintiff TUBO GIPSON  
 18 (“Plaintiff”), and Defendant BLACK & DECKER (U.S.) INC. (“Black & Decker”) by and  
 19 through their respective attorneys of record:

20 WHEREAS:

- 21 • On September 15, 2016, the parties participated in an Initial Case
- 22 Management Conference before Magistrate Beeler.
- 23 • On September 19, 2016, the Court issued a Case Management and Pre-Trial
- 24 Order providing fact and expert discovery dates.
- 25 • The Case Management and Pre-Trial Order also provided for an ADR
- 26 completion date of December 14, 2016.
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- The parties previously stipulated to and participated in the ENE on January 12, 2017.
- Black & Decker was limited to one deposition prior to the ENE.
- In light of the January 12, 2017 ENE the parties are unable to complete fact and expert discovery based on the schedule set forth in the Case Management and Pre-Trial Order.

The parties stipulate as follows:

1. Initial expert disclosures will be exchanged by both parties on April 14, 2017.
2. Fact discovery cut-off is continued to April 14, 2017.
3. Rebuttal expert disclosures will be exchanged by both parties on April 28, 2017.
4. Expert discovery completion is continued to May 28, 2017.

**IT IS SO STIPULATED.**

Dated: February 8, 2017

LAW OFFICE OF NIKOLAUS W. REED

By: \_\_\_\_\_ /s  
 Nikolaus W. Reed  
 Attorneys for Plaintiff TUBO GIPSON

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Dated: February 8, 2017

HAIGHT BROWN & BONESTEEL LLP

By: \_\_\_\_\_ /s  
Kevin R. Crisp  
Renata L. Hoddinott  
Attorneys for Defendants Black & Decker  
(U.S.) Inc. erroneously named and served as  
DeWalt Industrial Tool Co.

**ORDER**

Based on the stipulation of the parties, **IT IS HEREBY ORDERED** the Case Management and Pre-Trial Order is amended as follows:

1. Initial expert disclosures will be exchanged by both parties on April 14, 2017.
2. Fact discovery cut-off is continued to April 14, 2017.
3. Rebuttal expert disclosures will be exchanged by both parties on April 28, 2017.
4. Expert discovery completion is continued to May 28, 2017.

IT IS SO ORDERED.

\_\_\_\_\_, 2017



Judge of the District Court