

**COX, WOOTTON, LERNER
GRIFFIN & HANSEN, LLP**

Galin L. Luk (SBN 199728)
Marc A. Centor (SBN 252011)
900 Front St., Suite 350
San Francisco, CA 94111
Telephone: (415) 438-4600
Facsimile: (415) 438-4601

Attorneys for Defendant
OCEAN ANGEL IV, LLC

DL LAW GROUP

David M. Lilienstein (SBN 218923)
Katie J. Spielman (SBN 252209)
345 Franklin St.
San Francisco, CA 94102
Telephone: (415) 678-5050
Facsimile: (415) 358-8484

Attorneys for Plaintiff
MEN NGUYEN, Surviving Spouse of TOAN TRAN

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

MEN NGUYEN, Surviving Spouse of
TOAN TRAN,

Plaintiff,

v.

OCEAN ANGEL IV, LLC, and DOES 1
through 10, inclusive in personam, and
the Fishing Vessel, OCEAN ANGEL IV,
and her engines, tackle, apparel, etc., in rem,

Defendants.

Case No. 3:16-cv-04023-JST

**STIPULATION AND ORDER
CONTINUING TRIAL DATE AND
PRETRIAL DEADLINES**

Complaint Filed: July 15, 2016
Trial Date: September 24, 2018
Judge: Hon. Jon S. Tigar

Defendant OCEAN ANGEL IV, LLC (“Defendant”) and plaintiff MEN NGUYEN, Surviving Spouse of TOAN TRAN (“Plaintiff”), hereby jointly submit this Stipulation and Proposed Order Continuing Trial Date and Associated Deadlines

On July 15, 2016, Plaintiff filed a complaint for personal injury, negligence under the Jones Act, and breach of the warranty of seaworthiness under the General Maritime Law. On May 24, 2017, this Court issued its Scheduling Order regarding ADR and Trial Dates. In that Scheduling Order, this Court set a Trial Date of June 25, 2018. On December 18, 2017, this Court continued the trial date to September 24, 2018, and continued the discovery deadlines accordingly. On March 26, 2018, this Court continued the trial date to November 26, 2018, and continued the discovery deadlines accordingly.

Good cause now exists to continue the trial date and discovery deadlines for the following reasons: (1) counsel for Defendant, Galin Luk, has a conflict with another trial that was scheduled prior to the trial in this matter, which he mistakenly overlooked at the time of the last continuance; (2) late November is the middle of squid-fishing season, and necessary witnesses are likely to be unavailable to testify at that time; (3) the parties continue to discuss settlement with their mediator and remain committed to attempting in good faith to resolve this matter out of court; and (4) the parties have completed fact discovery.

The parties, having met and conferred, agree that an extension to the trial date and pretrial deadlines is therefore warranted, and have agreed upon a new date that complies with both parties’ schedules. The parties therefore stipulate and respectfully request that this Court grant the proposed order below and extend the trial date and pretrial deadlines in this matter as follows:

Event	Current Deadline	Proposed Deadline
Fact discovery cut-off	June 1, 2018	No change
Expert disclosures	June 15, 2018	August 15, 2018
Expert rebuttal	July 2, 2018	September 4, 2018
Expert discovery cut-off	July 30, 2018	September 28, 2018
Deadline to file dispositive	August 7, 2018	October 8, 2018

1	motions		
2	Pretrial conference statement due	October 19, 2018	January 21, 2019
3	Pretrial conference	November 2, 2018	February 4, 2019
4	Trial	November 26, 2018	February 28, 2019

5 Respectfully submitted,

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7 Dated: June 11, 2018

**COX, WOOTTON, LERNER,
GRIFFIN & HANSEN, LLP**

Attorney for Defendants OCEAN ANGEL IV, LLC
and F/V OCEAN ANGEL IV

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11 By: /s/ Galin L. Luk
Galin L. Luk

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13 Dated: June 11, 2018

DL LAW GROUP

Attorneys for Plaintiff MEN NGUYEN, Surviving
Spouse of TOAN TRAN

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16 By: /s/ David M. Lilienstein
David M. Lilienstein


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18 **ORDER**

19 **IT IS ORDERED** that the trial date and pretrial deadlines in this matter are continued as set
20 forth below. The Court does not expect to grant any further continuances.

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22	Event	Current Deadline	Proposed Deadline
23	Fact discovery cut-off	June 1, 2018	No change
24	Expert disclosures	June 15, 2018	August 15, 2018
25	Expert rebuttal	July 2, 2018	September 4, 2018
26	Expert discovery cut-off	July 30, 2018	September 28, 2018
27	Deadline to file dispositive	August 7, 2018	October 5, 2018
28	motions		

Pretrial conference statement due	October 19, 2018	January 21, 2019
Pretrial conference	November 2, 2018	February 1, 2019
Trial	November 26, 2018	February 25, 2019

Dated: June 12, 2018


 Jon S. Tigar
 United States District Judge