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 Mike Rose's Auto Body, Inc., et al.

17 UNITED STATES DISTRICT COURT
 18 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 19 (SAN FRANCISCO DIVISION)

20 AUTOMOTIVE INDUSTRIES PENSION
 TRUST FUND, et al.,

21 Plaintiffs,

22 v.

23 MIKE ROSE'S AUTO BODY INC., a
 California corporation, et al.

24 Defendants.

Case No.: Case No. 17-cv-00602 JST

STIPULATION AND JOINT REQUEST
 TO FURTHER MODIFY SCHEDULING
 ORDER TO EXTEND DISCOVERY CUT-
 OFF DATES; AND
~~PROPOSED~~ ORDER

Complaint Filed: February 6, 2017

26 IT IS HEREBY STIPULATED by and between the parties to this action, by and through
 27 their attorneys of record, and the parties jointly request that the Court modify its Scheduling
 28

1 Order, initially issued June 21, 2017 (Doc. No. 26) and modified on February 14, 2018 (Doc. No.
2 36), as follows:

3 Event	4 Scheduled Date	5 Requested Date	6 Previous Extension
7 Fact discovery cut-off	8 Mar. 30, 2018	9 April 30, 2018	10 1
11 Expert disclosures	12 Apr. 23, 2018	13 May 14, 2018	14 1
15 Expert rebuttal	16 May 15, 2018	17 May 28, 2018	18 1
19 Expert discovery cutoff	20 June 1, 2018	21 June 8, 2018	22 1
23 Deadline to file dispositive motions	24 Jun. 21, 2018	25 No change	26 None
27 Pretrial conference statement due	28 Sept. 25, 2018	29 No change	30 None
31 Pretrial conference	32 Oct. 5, 2018 33 2:00 p.m.	34 No change	35 None
36 Trial	37 Oct. 29, 2018 38 8:30 a.m.	39 No change	40 None

16 The parties submit that good cause exists for the following reasons.

17 1. The Scheduling Order was initially issued on June 21, 2017, and modified pursuant
18 to the parties' joint request on February 14, 2018. The currently requested extensions are for
19 discovery cut-off dates **only** and do not delay the dates for filing dispositive motions, or for the
20 pretrial conference and trial.

21 2. The parties are actively engaged in settlement negotiations and wish to attempt a
22 resolution of this matter before incurring further expense of discovery.

23 3. The parties have propounded written discovery and have conferred regarding the
24 setting of depositions. The parties have agreed on the following discovery plan, subject to the
25 Court's granting their joint request to modify the schedule:

- 26 • April 3, 2018 – Defendant's Responses to Plaintiffs' Written Discovery due.

- April 15, 2018 – Plaintiff’s Responses to Defendants’ Written Discovery due.
- Depositions may be conducted at any time pursuant to the Federal Rules of Civil Procedure and the Civil Local Rules, or by mutual agreement.

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

IT IS SO STIPULATED.

SALTZMAN & JOHNSON LAW CORPORATION

DATED: March 9, 2018

By: /s/ Anne M. Bevington
Anne M. Bevington
Attorneys for Plaintiffs

TRUCKER ♦ HUSS

DATED: March 9, 2018

By: /s/ Robert F. Schwartz
Robert F. Schwartz
Attorneys for Defendants

CERTIFICATION RE SIGNATURES

I attest that concurrence in the filing of this document has been obtained from Anne M. Bevington.

Dated: March 9, 2018

/s/ Robert F. Schwartz
Robert F. Schwartz

IT IS SO ORDERED. The Court is unlikely to grant any further requests for continuance.

Dated: March 12, 2018


HON. JON S. TIGAL
United States District Judge