

1 Douglas A. Applegate (SBN 142000)
 George M. Lee (SBN 172982)
 2 **SEILER EPSTEIN ZIEGLER & APPEGATE LLP**
 101 Montgomery Street, 27th Floor
 3 San Francisco, California 94104
 Phone: (415) 979-0500
 4 Fax: (415) 979-0511

5 Attorneys for Plaintiff
 Ivy Rosequist, individually and dba
 6 Wicker-Wicker-Wicker

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10

11 IVY ROSEQUIST, individually and doing
 business as WICKER-WICKER-WICKER

12 Plaintiff

13 vs.

14 MICHAEL TAYLOR DESIGNS, INC., a
 15 California Corporation

16 Defendant

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 18 MICHAEL TAYLOR DESIGNS, INC., a
 California corporation,

19 Counterclaimant

20 vs.

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 22 IVY ROSEQUIST, individually and doing
 business as WICKER-WICKER-WICKER,

23 Counterdefendant
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Case No.: CV 08-1588 SBA

**STIPULATION AND FOR AMENDED
 PRETRIAL PREPARATION ORDER**

SEILER EPSTEIN ZIEGLER & APPEGATE LLP
 Attorneys at Law

1 Plaintiff William Giffen, as substituted party plaintiff and counter-defendant (“Giffen”)
2 and defendant and counter-complainant, Michael Taylor Designs, Inc. (“MTD”) hereby request,
3 and stipulate to, an Amended Pretrial Preparation Order that amends the Pretrial Preparation
4 Order entered on April 2, 2009 (Doc. 44). The parties’ request and stipulation are based on the
5 following:

- 6 1. On April 2, 2009, the Court entered a Pretrial Preparation Order (Doc. 44)
7 following the Initial Case Management Conference, which set the following
8 schedule:

9	9/30/09	End of Non-Expert Discovery
10	10/30/09	Exchange of expert designation
11	11/30/09	Close of expert discovery
12	1/12/10	Hearings on Dispositive motions
13	1/13-2/5/10	Mandatory Settlement Conference
14	1/31/10	Meet and Confer
15	2/9/10	Joint Pretrial Conference Statement
16	2/9/10	Serve Trial Briefs
17	2/16/10	Motions in Limine & Objections to Evidence
18	2/23/10	Responses to Motions in limine or objections
19	3/2/10	Pretrial Conference
20	3/8/10	Trial – 5 days

- 21 2. In an effort to resolve this case expeditiously and inexpensively, the parties
22 engaged in a settlement conference before Magistrate Zimmerman on
23 June 26, 2009.
- 24 3. The parties made a good faith effort to resolve this action, but were unable to do
25 so primarily due to the denial of insurance coverage by MTD’s insurer. A further
26 settlement conference was scheduled before Magistrate Zimmerman for
27 September 24, 2009. The continued date was chosen to provide time for Giffen to
28 file a first amended complaint, and for MTD to file a separate coverage lawsuit

1 against its insurer and obtain jurisdiction by the Court over its insurer before the
2 September 24, 2009 settlement conference, to hopefully facilitate a settlement in
3 this case.

4 4. The parties intend to engage in further settlement discussions in a good faith
5 effort to resolve this case. To allow the parties time to attempt a good faith
6 resolution to this action without incurring the costs and fees necessary to complete
7 discovery, the parties have stipulated and agreed to extend the deadlines to
8 complete discovery and all other deadlines in the Pretrial Preparation Order by
9 approximately 90 days. Extending the deadlines in this amount should be
10 sufficient to allow the parties to continue with their good faith efforts to resolve
11 this matter and complete discovery should those efforts fail.

12 Accordingly, in an effort to promote settlement and ensure the just, expeditious, and
13 inexpensive resolution of this case, it is hereby stipulated and agreed by the undersigned parties
14 that the Pretrial Preparation Order entered on April 2, 2009 be amended as follows (or as closely
15 to the following schedule as the Court's calendar allows):

16	12/18/09	End of Non-Expert Discovery
17	1/28/10	Exchange of expert designation
18	2/28/10	Close of expert discovery
19	4/13/10	Hearings on Dispositive motions
20	4/14-5/7/10	Mandatory Settlement Conference
21	5/1/10	Meet and Confer
22	5/11/10	Joint Pretrial Conference Statement
23	5/11/10	Serve Trial Briefs
24	5/18/10	Motions in Limine & Objections to Evidence
25	5/25/10	Responses to Motions in limine or objections
26	6/1/10	Pretrial Conference
27	6/21/10	Trial – 5 days

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Dated: August 20, 2009

SEILER EPSTEIN ZIEGLER & APPEGATE LLP

By: /s/ Douglas A. Applegate
Douglas A. Applegate, Esq.

Attorneys for Plaintiff and Counterdefendant
Ivy Rosequist, individually and doing business as
Wicker-Wicker-Wicker

Dated: August 20, 2009

GAUNTLETT & ASSOCIATES

By: /s/ David A. Gauntlett
David A. Gauntlett
James A. Lowe
Andrew M. Sussman

Attorneys for Defendant and Counterclaimant
Michael Taylor Designs, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _8/25/09


UNITED STATES DISTRICT JUDGE