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7 Attorneys for Plaintiff  
 8 RICHARD CAYO

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 RICHARD CAYO,  
 12 Plaintiff,  
 13 vs.

14 VALOR FIGHTING & MANAGEMENT  
 15 LLC; RICK BASSMAN; AIG DOMESTIC  
 16 CLAIMS, INC.; GAGLIARDI INSURANCE  
 17 SERVICES, INC. & DOES 1-15,  
 18 INCLUSIVE,  
 19 Defendants.

Case No.: CV08-4763 CW

**STIPULATION AND ~~(PROPOSED)~~  
 ORDER TO FURTHER PARTIALLY  
 REVISE THE COURT'S CASE  
 MANAGEMENT ORDER**

20 All parties, by and through their respective counsel, hereby stipulate to further partially  
 21 revise the Court's Case Management Order as follows:

22 **I.**

**RECITALS**

- 23 1. The parties are continuing to work diligently to move this case forward as  
 24 expeditiously as possible. The depositions of most fact witnesses have been  
 25 completed. The deposition of National Union's PMQ on various topics is continuing,  
 26 and a further trip to Wilmington, Delaware will be necessary in order to complete that  
 27 deposition.

- 1 2. The parties have been unable to schedule the remaining depositions because of  
2 scheduling issues as well as various disputes about the scope of discovery. By way of  
3 one example, National Union protested plaintiff's right to take the deposition of  
4 Eileen Duffy as a fact witness. On February 10, 2010, Magistrate Judge Larson  
5 denied National Union's motion for a protective order as to that deposition, and  
6 instead ordered that plaintiff may have one day of deposition as to Ms. Duffy, with  
7 that deposition to take place in Wilmington, Delaware.
- 8 3. By way of further example, plaintiff has been attempting to meet and confer with  
9 defense counsel about getting the claims file for another fighter (Travis Le Brun) who  
10 was also injured in the mixed martial arts fight at Cache Creek Casino on September  
11 15, 2006. Plaintiff contends that the Le Brun claims file is within the scope of the  
12 documents requested in plaintiff's notice of the deposition of National Union's PMQ.  
13 Plaintiff's counsel will be unable to complete the PMQ deposition in Delaware until  
14 she gets the Le Brun claims file.
- 15 4. At this point, it is logistically impossible to get the remaining Delaware depositions  
16 completed by the current February 15 cut-off for fact discovery. The parties also  
17 have other discovery disputes, some of which may need to be resolved by the Court.
- 18 5. The parties have agreed to extend the deadline to complete fact discovery an  
19 additional 60 days, and the expert deadlines an additional 30 days as well. The  
20 parties do not want to move the trial date, or to have any other dates changed.

## 21 II.

### 22 STIPULATION

23 The parties hereby stipulate to the following revision to the Court's Scheduling Order:

- 24 1. Completion of fact discovery April 15, 2010 (currently February 15, 2010)
- 25 2. Disclosure of experts April 19, 2010 (currently March 18, 2010)
- 26 3. Completion of expert discovery May 19, 2010 (currently April 19, 2010)
- 27
- 28

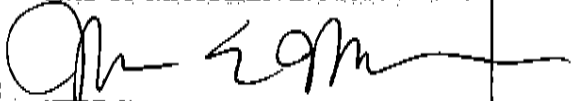
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1 The remaining deadlines and other dates set forth in the Court's February 6, 2009 Minute  
2 Order and Case Management Order, as revised by this Court's previous orders, remain  
3 unchanged.

4  
5 DATED: February 15, 2010


LAW OFFICES OF MAUREEN E. MCFADDEN

6  
7 By:   
Maureen E. McFadden

8 Attorney for Plaintiff  
9 RICHARD CAYO

10 DATED: February 16, 2010

HAYES SCOTT BONINO ELLINGSON &  
MCLAY LLP

11  
12 By:   
13 Stephen Ellingson  
14 Rebecca Martino

15 Attorney for Defendants  
16 AIG DOMESTIC CLAIMS, INC. AND  
17 NATIONAL UNION FIRE INSURANCE  
18 COMPANY OF PITTSBURGH, PA.


19 **[PROPOSED] ORDER**

Pursuant to the parties' stipulation, the discovery deadlines are continued as follows:

- 20 1. Completion of fact discovery April 15, 2010 (currently February 15, 2010)
- 21 2. Disclosure of experts April 19, 2010 (currently March 18, 2010)
- 22 3. Completion of expert discovery May 19, 2010 (currently April 19, 2010)

23 The remaining deadlines and other dates set forth in the Court's February 6, 2009 Minute  
24 Order and Case Management Order, as revised by this Court's previous orders, remain  
25 unchanged.

26 Dated: 2/18, 2010

  
27 Claudia Wilken  
28 United States District Court  
For the Northern District of California