

1 ROBERT M. LIEBER, ESQ. SBN: 039976
 NAKI M. IRVIN, ESQ. SBN: 094120
 2 MARGOLIS & TISMAN LLP
 601 Montgomery Street, Suite 2030
 3 Telephone: (415) 986-2144
 Facsimile: (415) 986-4461
 4 Email: rlieber@winlaw.com
 nakim@winlaw.com

5 Attorneys for Defendant
 6 INDUSTRIAL LIGHT AND MAGIC, a division of
 LUCASFILM ENTERTAINMENT COMPANY LTD.
 7

8 ANDREW F. PIERCE, ESQ. SBN: 101889
 STACY NORTH, ESQ. SBN: 219034
 9 PIERCE & SHEARER LLP
 2483 E. Bayshore Road, Suite 202
 10 Palo Alto, CA 94303
 Telephone: (650) 843-1900
 11 Facsimile: (650) 843-1999
 Email: apierce@pierceshearer.com
 12 stacy@pierceshearer.com

13 Attorneys for Plaintiff
 DREW KLAUSNER
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15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**
 17 **OAKLAND DIVISION**
 18

19 DREW KLAUSNER;
 20 Plaintiff,
 21 v.
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23 INDUSTRIAL LIGHT AND MAGIC, a
 division of LUCASFILM ENTERTAINMENT
 24 COMPANY LTD. and DOES 1 through 25,
 inclusive,
 25 Defendants.
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Case No. CV 09-03502-CW

**STIPULATED REQUEST FOR ORDER
 CHANGING DEADLINE TO COMPLETE
 FACT DISCOVERY & ORDER;
 DECLARATION OF NAKI M. IRVIN**

[Fed. R. Civ. Proc. 29; Civ. L.R. 6-2]

Action Filed: July 30, 2009
 Trial Date: April 11, 2011

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STIPULATION OF THE PARTIES

WHEREAS, pursuant to the Court’s Case Management Order dated December 1, 2009 (docket no. 21), the deadline to complete fact discovery in this case is currently June 18, 2010;

WHEREAS, the trial of this action is not scheduled to begin until April 11, 2011;

WHEREAS, the parties desire to depose additional fact witnesses and extend the time to complete fact discovery;

WHEREAS, Defendant’s counsel is in trial in June 2010;

WHEREAS, the only prior time modification in this case has been an extension of the expert discovery deadlines, and there has been no previous extension of the time to complete fact discovery;

WHEREAS, continuing the deadline to complete fact discovery would not delay the trial date or otherwise affect the schedule for this case;

THEREFORE, pursuant to Federal Rule of Civil Procedure 29 and Civil Local Rule 6-2, the parties to this action, by and through their counsel of record, do HEREBY STIPULATE AND REQUEST THE COURT TO ORDER that the deadline to complete fact discovery is extended from June 18, 2010 to July 31, 2010.

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IT IS SO STIPULATED.

DATED: May 28, 2010

MARGOLIS & TISMAN LLP

By: /s/ Naki M. Irvin
NAKI M. IRVIN

Attorneys for Defendant
INDUSTRIAL LIGHT AND MAGIC, a
division of LUCASFILM ENTERTAINMENT
COMPANY LTD.

DATED: May 28, 2010

PIERCE & SHEARER LLP

By: /s/ Stacy North
STACY NORTH
Attorneys for Plaintiff
DREW KLAUSNER

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The deadline to complete fact discovery is extended from June 18, 2010 to July 31, 2010.

DATED: 6/1/2010



HON. CLAUDIA WILKEN
United States District Court Judge

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DECLARATION OF NAKI M. IRVIN

I, Naki M. Irvin, declare as follows:

1. I have personal knowledge of the facts set forth below.

1. I am a partner with Margolis & Tisman LLP, which is counsel of record in this action for Defendant Industrial Light & Magic, a division of Lucasfilm Entertainment Company Ltd. (“Defendant”). Pursuant to Civil Local Rule 6-2(a), I make this declaration to accompany the parties’ stipulated request for an order changing the fact discovery deadlines in this case.

2. The reason for the requested enlargement of time is that the parties require additional time to complete fact discovery, including depositions of fact witnesses. Plaintiff noticed the depositions of four party witnesses to occur in June 2010. However, Defendant’s lead counsel, Robert Lieber, and I are engaged in a jury trial for another case in June 2010. Plaintiff’s counsel has agreed to reschedule the depositions to occur in July 2010.

3. The expert discovery deadlines were continued by the Court’s order dated May 27, 2010. There have been no other time modifications in this case.

4. The requested time modification will not delay the trial, which is not scheduled to begin until April 11, 2010, or otherwise affect the schedule for this case.

I declare, under penalty of perjury, under the laws of the United States, that the foregoing is true and correct, and that this declaration was executed this 28th day of May, 2010, at San Francisco, California.

/s/ Naki M. Irvin
NAKI M. IRVIN