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 JEANNE'S HAMLIN CLEANERS, JEANNE STEWART dba HAMLIN  
 8 CLEANERS (erroneously sued as Hamlin Cleaners), and TOMMY LEE  
 STEWART  
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10 **UNITED STATES DISTRICT COURT**  
 11 **NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION**

13 GOLDEN GATE WAY, LLC, a  
 California Limited Liability Company,

14 Plaintiff,

15 v.

16 JEANNE STEWART, JEANNE'S  
 17 HAMLIN CLEANERS; HAMLIN  
 CLEANERS; LEONARD A. GROSS,  
 18 LINDA CAPIN GROSS;  
 CONTRACTORS CAPITAL  
 19 CORPORATION; LEONARD A.  
 GROSS PROFESSIONAL  
 20 CORPORATION; and DOES 1-10,  
 INCLUSIVE,  
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Defendants.  
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CASE NO. 09-CV-04458-DMR

**JOINT STIPULATION  
 REGARDING SCOPE OF  
 DISCOVERY AND ANY  
 LIMITATIONS ON DISCOVERY  
 TOOLS FOR THE PERIOD PRIOR  
 TO MEDIATION DEADLINE; [**  
**ORDER]**

DATE: March 15, 2011

Complaint Filed: 9/22/09

[Assigned for All Purposes to Magistrate Judge Donna  
 M. Ryu, Courtroom 4]

Trial Date: January 14, 2013

23 AND RELATED CROSS-ACTIONS.  
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**STIPULATED REQUEST**

PURSUANT TO the Court's March 1, 2011 Minute Order, the undersigned parties, through their respective attorneys of record, have met and conferred regarding the scope of initial discovery and any limitations on discovery tools for the period prior to the mediation deadline and hereby make this stipulated request regarding the scope and extent of discovery for the interim period from March 15, 2011 until the July 13, 2011 Case Management Conference.<sup>1</sup> The undersigned parties stipulate and agree as follows:

IT IS HEREBY STIPULATED that each party will be allowed to serve ten (10) requests for production of documents, twenty (20) requests for admission and fifteen (15) interrogatories on every other party in compliance with Federal Rules of Civil Procedure;

IT IS FURTHER STIPULATED that the written discovery requests will be served on a rolling schedule in order to prevent duplicative requests. The rolling schedule will allow parties to build upon earlier requests served by other parties, fill potential gaps left by earlier requests and maximize efficiency. To this extent, the Stewart Defendants intend to serve their desired discovery requests by the end of the month. To the extent necessary, Plaintiff Golden Gate Way LLC and Cross-defendants Bill Peacock and Yolanda Peacock will follow with their desired discovery requests. To the extent necessary, the remaining defendants will propound

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<sup>1</sup> On March 11, 2011, counsel for Plaintiffs, John T. Cu, spoke with Leonard Gross to confirm whether he would participate on the conference call which the parties have agreed to hold on March 14, 2011 to conduct their meet and confer. Mr. Gross represented that he did not have any availability on March 14, 2011, but that he would agree to whatever discovery protocol the parties reach. On March 15, 2011, at 12:15 pm, Mr. Cu once again attempted to contact Mr. Gross to inform him of the terms of the instant Stipulation, but was unable to reach him. Nonetheless, given Mr. Gross' representation that he would agree and consent to the discovery protocol agreed to by the Parties, the Parties are prepared to submit the instant Stipulation to the Court.

1 additional requests following Plaintiffs' requests;

2 IT IS FURTHER STIPULATED that the parties will not schedule, notice  
3 or request depositions of any party or witness prior to the July 13, 2011  
4 Case Management Conference. At the Case Management Conference the  
5 parties will be prepared to discuss the propriety of taking any depositions  
6 prior to mediation and which, if any, depositions need be conducted prior to  
7 mediation.

8 The Parties herein reserve their respective right to request from the  
9 Court the enlargement of discovery beyond that which was agreed upon  
10 herein at any point after the Case Management Conference on July 13,  
11 2011, where any party deems further discovery requests are necessary.  
12 This Stipulation is not a waiver of rights to request additional discovery.

13 NOW, THEREFORE, the parties to this action, through their  
14 undersigned counsel stipulate and ask the Court to enter its order as follows:

15 1.) For the period prior from March 15, 2011 until the July 13, 2011  
16 Case Management Conference each party will be allowed to serve no more  
17 than ten (10) requests for production of documents, twenty (20) requests for  
18 admission and fifteen (15) interrogatories on each other party.

19 2.) The written discovery requests will be served on a rolling  
20 schedule with the Stewart Defendants serving the initial set, followed by  
21 Plaintiffs and then, to the extent necessary, the other parties.

22 3.) The parties will not schedule, request or notice any depositions  
23 until the need for depositions is discussed with the Court during the July 13,  
24 2011 Case Management Conference, or by making an application to the  
25 Court setting forth the reasons why a deposition(s) should be scheduled  
26 before July 13, 2011.

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**SIGNATURES UNDER GENERAL ORDER NO. 45**

Pursuant to General Order No. 45 of the United States District Court, Northern District of California, I, Matthew O. Kovacs -- the ECF User whose User ID and Password are used in the filing of this document -- hereby attest that the concurrence of the filing of this document has been obtained from each of the other signatories to this document.

DATED: March 15, 2011

WOOD, SMITH, HENNING & BERMAN LLP

By: /s/ Matthew O. Kovacs  
MATTHEW O. KOVACS  
Attorneys for Defendants and Cross-Defendants,  
JEANNE STEWART, JEANNE'S HAMLIN  
CLEANERS, JEANNE STEWART dba HAMLIN  
CLEANERS (erroneously sued as Hamlin  
Cleaners), and TOMMY LEE STEWART

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DATED: March 15, 2011

By: /S/ Leonard A. Gross  
LEONARD A. GROSS  
Attorneys for Defendants  
Leonard A. Gross and Leonard A.  
Gross Professional Corporation

DATED: March 15, 2011

WOOD SMITH HENNING & BERMAN

By: /S/ Matthew O. Kovacs  
DAVID F. WOOD  
MATTHEW O. KOVACS  
Attorneys for Defendants  
Jeanne Stewart, Jeanne's Hamlin  
Cleaners, Jeanne Stewart dba Hamlin  
Cleaners and Tommy Lee Stewart  
FELDMAN LAW GROUP

DATED: March 15, 2011

By: /S/ Aaron R. Feldman  
AARON R. FELDMAN  
Attorneys for Cross-Defendant  
Joy Lou Monroe

DATED: March 15, 2011

OPPER & VARCO LLP

By: /S/ Linda C. Beresford  
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SUZANNE R. VARCO  
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Scott Monroe

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Dated: March 15, 2011

ARMSTRONG & ASSOCIATES

By: /S/ Amber Rae  
WILLIAM H. ARMSTRONG  
AMBER RAE  
Attorneys for Defendants  
Martino Family Trust  
HANSON BRIDGETT LLP

DATED: March 15, 2011

By: /S/ John T. Cu  
CATHERINE W. JOHNSON  
MICHAEL J. VAN ZANDT  
JOHN T. CU  
SOPHIA B. BELLOLI  
Attorneys for Plaintiff  
Golden Gate Way, LLC and  
Cross-Defendants  
William and Yolanda Peacock

PURSUANT TO STIPULATION AND THE COURT'S AMENDMENT TO PROVISION (3),  
IT IS SO ORDERED.

DATED this 17 day of March, 2011

Honorable Donna M. Pugh  
Magistrate Judge of the Federal District  
Court for the Northern District of  
California

