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16 Attorneys for Defendants  
 17 WELLS FARGO BANK, N.A., WELLS FARGO & CO. AND  
 PAM RUBIO

18  
 19 **UNITED STATES DISTRICT COURT**  
 20 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

21 YESENIA GUITRON; and JUDI KLOSEK,

22 Plaintiffs,

23 v.

24 WELLS FARGO BANK, N.A.; WELLS  
 25 FARGO & CO.; PAM RUBIO; and DOES 1-  
 26 20,

27 Defendants.

**CASE NO. CIV-10-03461 CW (MEJ)**

**PARTIES' STIPULATION AND  
 [PROPOSED] ORDER TO EXTEND  
 EXPERT DISCOVERY CUT-OFF  
 DATE**

1 Plaintiffs YESENIA GUITRON and JUDI KLOSEK and Defendants WELLS FARGO  
2 BANK, N.A., WELLS FARGO & CO. and PAM RUBIO (collectively, "Defendants") stipulate,  
3 as follows:

4 WHEREAS, the parties have designated seven expert witnesses, including three retained  
5 experts and three non-retained experts Plaintiffs have designated and one retained expert  
6 Defendants have designated;

7 WHEREAS, a dispute arose between the parties regarding whether Defendants were  
8 entitled to take a Rule 35 mental examination of Plaintiff Klosek;

9 WHEREAS, Magistrate Judge Maria-Elena James ruled upon the parties' dispute in  
10 favor of Defendants on December 1, 2011;

11 WHEREAS, Plaintiffs intend to file a Motion for Relief from Nondispositive Pretrial  
12 Order on Magistrate Judge James' ruling of December 1, 2011 pursuant Civil Local Rule 72.2,  
13 and thus are not scheduling Plaintiff Klosek's mental examination;

14 WHEREAS, because of the unavailability of the expert witnesses and counsel in  
15 December 2011 and the dispute over the Rule 35 mental examination of Plaintiff Klosek, the  
16 parties still have to schedule and take the depositions of the seven expert witness that were  
17 designated in this case, as well as schedule the mental examination of Plaintiff Klosek unless the  
18 Court grants Plaintiffs' Civil Local Rule 72.2 Motion;

19 WHEREAS, the expert discovery cut-off date currently is December 16, 2011;

20 WHEREAS, the parties need an additional 45 days to complete expert discovery,  
21 including the seven depositions and the mental examination;

22 THEREFORE, the parties stipulate and respectfully ask the Court to grant a 45-day  
23 extension of the expert discovery cut-off date to January 31, 2012.

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IT IS SO STIPULATED THROUGH COUNSEL OF RECORD:

Dated: December 6, 2011

ALLEN MATKINS LECK GAMBLE  
MALLORY & NATSIS LLP

By: (-) Alexander Nestor  
ALEXANDER NESTOR  
Attorneys for Defendants

Dated: December 6, 2011

PERETZ & ASSOCIATES

By: (-) Yosef Peretz  
YOSEF PERETZ  
Attorneys for Plaintiffs

**[PROPOSED] ORDER**

Pursuant to the parties' Stipulation, and Good Cause appearing therefor, the Court hereby orders that the expert discovery cut-off date is continued from December 16, 2011, to January 31, 2012.

**IT IS SO ORDERED.**

Dated: December 20, 2011

By:   
THE HON. CLAUDIA WILKEN  
U.S. DISTRICT JUDGE