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8 Counsel for Estate of Robert Renzel, Deceased, by and through his
 9 successors in interest, Susan Carter and Ann Renzel Sebastian;
 10 Robert E. Renzel Trust, by and through its trustees, Susan Carter
 11 and Ann Renzel Sebastian; Susan Carter; Ann Renzel Sebastian;
 12 and Bascom Avenue Development LLC

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 ESTATE OF ROBERT RENZEL,
 16 DECEASED, *et al.*,

17 *Plaintiffs,*

18 *v.*

19 ESTATE OF LUPE VENTURA,
 20 DECEASED, *et al.*,

21 *Defendants.*

Case No. 4:15-cv-1648-HSG

STIPULATION AND ORDER REGARDING
 CASE SCHEDULE

22 AND RELATED CROSS-ACTIONS.

Action filed: April 10, 2015
 Discovery cut-off: September 8, 2017
 Trial date: April 23, 2018

23 WHEREAS, pursuant to the discussion with the Court at the September 14, 2017 Case
 24 Management Conference, the parties have met and conferred regarding a proposed modification
 25 of the case schedule to further mediation efforts;

26 WHEREAS, a pilot test has been proposed for additional environmental investigation to
 27 support the development of a final remedial action plan and cost estimate;

28 WHEREAS, the environmental consultants for Renzel have approved the technical scope
 of the pilot test at a fixed cost of \$237,148.50;

WHEREAS, Renzel and Torres have worked diligently and in good faith with each other
 to negotiate an agreement to share the costs of the pilot test, but have not been able to come to an



1 agreement;

2 WHEREAS, Torres filed a motion for summary judgment against Renzel, ECF No. 187,
3 currently set for hearing on November 16, 2017;

4 WHEREAS, Renzel's opposition to Torres's motion for summary judgment is currently
5 due September 26, 2017 and Torres's reply brief is due October 3, 2017;

6 WHEREAS, the Court set the current deadlines in this matter in its May 15, 2017 Order
7 Amending Case Schedule and Vacating Case Management Conference, ECF No. 167; and

8 WHEREAS, the parties agree to continue expert discovery deadlines by approximately 30
9 days, to facilitate mediation of a cost sharing agreement for the pilot study;

10 THEREFORE, all parties¹ hereby stipulate with each other as follows, and request that the
11 Court so order the terms of this stipulation:

12 1. No later than October 13, 2017, Renzel and Torres will conduct a mediation
13 session to reach an agreement on cost sharing for the pilot study mentioned above, and thereby
14 will provide approval for commencement of the investigation. An insurance company
15 representative with authority to settle shall attend the mediation session in person for each of
16 Renzel's and Torres's respective insurers. If Renzel and Torres reach a cost sharing agreement
17 prior to October 13, 2017, a mediation session shall not be necessary;

18 2. No later than October 13, 2017, the parties shall report back to the Court on the
19 result of the mediation;

20 3. If a stipulation to stay the litigation, including the length of time proposed for such
21 a stay, is not filed by October 13, 2017, the parties shall appear at a further Case Management
22 Conference on October 17, 2017 at 2:00 p.m. in Courtroom 2, 4th Floor, 1301 Clay Street,
23 Oakland, before the Hon. Haywood S. Gilliam Jr.;

24 4. The briefing schedule for Torres's motion for summary judgment against Renzel,
25 ECF No. 187, shall be modified as follows: Renzel's opposition is due no later than October 27,
26 2017; Torres's reply shall be due no later than November 6, 2017; the hearing shall remain as
27

28 ¹ A copy of this stipulation was provided to all *pro se* parties via email on September 14, 2017,
requesting their review and agreement by signature. No objections were received.



1 scheduled for November 16, 2017; and

2 5. The following deadlines shall be set for this matter:

- 3 a. Affirmative expert designation: October 16, 2017
4 b. Rebuttal expert designation: November 6, 2017
5 c. Expert discovery cutoff: December 4, 2017
6 d. Deadline for hearing of dispositive motions: January 18, 2017, at 2:00p.m.
7 e. Pretrial conference: April 10, 2018, at 3:00 p.m.
8 f. Trial date: April 23, 2018, at 8:30 a.m.

9 IT IS SO STIPULATED

10 DATED: September 15, 2017

PALADIN LAW GROUP® LLP

11 /s/ *Bret A. Stone*

12 Counsel for Renzel

13 DATED: September 15, 2017

LEWIS BRISBOIS BISGAARD & SMITH LLP

14 /s/ *Glenn A. Friedman*

15 Counsel for Counter Defendants Ann Renzel
16 Sebastian, Susan Carter and the Estate of Robert
17 Renzel

18 DATED: September 15, 2017

CAUFIELD & JAMES LLP

19 /s/ *Jeffery L. Caufield*

20 Counsel for Alfredo and Carmen Torres

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22 DATED: September 15, 2017

23 _____
HYANG BAE WHANG, SEON GEUN WHANG,
24 KYU CHUK WHANG

Pro se

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26 DATED: September 15, 2017

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GARY TRAN

Pro se



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DATED: September 15, 2017

THU HUYNH and NGOC T.B. TRAN

DATED: September 15, 2017

UKTAE HAN and MIJA HAN
Pro Se

Good cause appearing, IT IS SO ORDERED except that the deadline for hearing of dispositive motions is January 18, 2018, at 2:00p.m.

Dated: September 15, 2017


United States District Judge

