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 SONOMA SOIL BUILDERS, INC., a California corporation

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA

16 CALIFORNIA ENVIRONMENTAL  
 PROTECTION ASSOCIATION,

17 Plaintiff,

18 v.

19 SONOMA SOIL BUILDERS, INC and  
 20 DOES 1-30, inclusive,

21 Defendants.

) Case No. 4:15-cv-04880-KAW

) **STIPULATION AND ~~[PROPOSED]~~**  
**ORDER CONTINUING CASE**  
**MANAGEMENT AND DISCOVERY**  
**DATES AS MODIFIED**

) Case Mgmt Conf.: October 4, 2016  
 Time: 1:30 p.m.

22 \_\_\_\_\_  
 23 This case involves alleged violations related to storm water pollution statutes and  
 24 regulations. The parties are engaged in settlement discussions and to that end, on September 14,  
 25 2016, they participated in a conference call with this Court’s ADR Program Case Administrator.  
 26 The parties have requested the assistance of a Magistrate Settlement Judge. The ADR facilitator  
 27 indicated she would recommend that the Court assign this case to either a Magistrate Settlement  
 28 Conference Judge or a mediator. Due to the Court’s congested calendar, in either event, it

1 appears that the settlement conference or mediation will not take place until December, 2016 or  
2 later.

3 The parties wish to preserve the resources necessary to settle the case, rather than spend  
4 them on case management and discovery procedures. Accordingly, the parties are requesting a  
5 continuance of all current deadlines to allow them to complete either a settlement conference or  
6 a mediation within the next 120 days.

7 Accordingly, the parties hereby request the Court enter an order as follows:

8 (1) The parties shall exchange the initial disclosures required under Federal Rule of Civil  
9 Procedure 26(a)(1) no later than February 15, 2017, as agreed upon by stipulation of the parties.

10 (2) Both plaintiff and defendants shall serve their first interrogatories, requests for  
11 production of documents and requests for admission pursuant to Federal Rules of Civil  
12 Procedure 33, 34 and 36, respectively, no later than March 20, 2017.

13 (3) Both plaintiff and defendants shall serve their first notices of deposition, pursuant to  
14 Federal Rule of Civil Procedure 30, no later than April 18, 2017. Plaintiff anticipates deposing:

15 1. Germon Medeiros  
16 2. Person most knowledgeable for Sonoma Soil Builders, Inc.  
17 3. Other witnesses that may be identified in the foregoing deposition and  
18 document discovery as possessing relevant information, for which leave of court under Federal  
19 Rule of Civil Procedure 30(a)(2) will be sought.

20 Defendants anticipate deposing individuals identified in discovery or at least one  
21 representative from plaintiff.

22 (4) Depositions of the parties shall commence after July 17, 2017, at mutually  
23 convenient dates and times.

24 (5) Both plaintiff and defendants shall serve subpoenas upon any third party witnesses  
25 no later than August 21, 2017, seeking the production of documents and/or depositions.

26 (6) Plaintiff shall serve its experts' reports upon defendants, pursuant to Federal Rule of  
27 Civil Procedure 26(a)(2), no later than October 23, 2017. The reports shall set forth the facts on  
28 which the expert relies and the process of reasoning by which the expert's conclusions are

1 reached.

2 (7) Defendants shall serve their experts' rebuttal reports upon plaintiff, pursuant to  
3 Federal Rule of Civil Procedure 26(a)(2), no later than November 27, 2017.

4 (8) Depositions of the experts shall commence no later than December 11, 2017 for  
5 plaintiff's experts and January 22, 2018 for defendants' experts.

6 (9) All discovery shall be complete by February 19, 2018.

7 (10) The parties reserve the right to seek or to schedule additional discovery as may  
8 become necessary, so long as it is completed by March 19, 2018.

9 In addition, the Case Management Conference will be continued to January <sup>24</sup>~~23~~, 2017.

10  
11 Dated: September 16, 2016

LAW OFFICES OF STEPHAN C. VOLKER

12 s/ Stephan C. Volker  
13 Stephan C. Volker  
14 Attorney for Plaintiff  
CALIFORNIA ENVIRONMENTAL PROTECTION  
ASSOCIATION

15 Dated: September 16, 2016

BEYERS, COSTIN & SIMON

16  
17 Peter L. Simon  
18 Attorneys for Defendant  
SONOMA SOIL BUILDERS, LLC

19  
20 ORDER

21 IT IS SO ORDERED.

22 Dated: 9/23/16

23 Kandis Westmore  
24 KANDIS A. WESTMORE  
25 UNITED STATES DISTRICT MAGISTRATE JUDGE  
26  
27  
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