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13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

17 **WASHINGTON C. MONTANO,**
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 Plaintiff,
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 v.
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 21 **CESAR L. SINNACO,**
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 Defendant.

Case No.: 5:04-cv-00543 JF (PR)

**STIPULATION AND [PROPOSED]
 ORDER REGARDING SETTLEMENT
 CONFERENCE AND EXPERT
 DISCOVERY DEADLINE**

Courtroom: 3, 5th Floor
 Judge: Hon. Jeremy Fogel
 Trial Date: July 5, 2011
 Action Filed: Feb. 9, 2004

1 Plaintiff Washington C. Montano and Defendant Cesar L. Sinnaco (collectively, “parties”),
2 through their counsel of record, hereby stipulate as follows:

3 WHEREAS, on December 21, 2010, the parties filed an Amended Stipulation and
4 [Proposed] Order Regarding Case Schedule, which sought to amend the scheduling order
5 approved by the Court on December 9, 2010 to accommodate Plaintiff’s request for an extension
6 due to his expert’s discovery of a conflict;

7 WHEREAS, on January 13, 2011 the Court approved the Stipulation and [Proposed] Order
8 Regarding Case Schedule;

9 WHEREAS, the parties have since exchanged expert disclosures and agreed to the
10 scheduling of depositions of their expert witnesses;

11 WHEREAS, the parties have discussed the possibility of settlement, and have agreed to
12 request that this Court order the parties to a settlement conference with Magistrate Judge Vadas;

13 WHEREAS, the parties have contacted Magistrate Judge Vadas, who has tentatively
14 scheduled a settlement conference on May 31, 2011 for this matter pending an order of this Court;

15 WHEREAS, the parties have discussed the potential benefits to the parties and the expert
16 witnesses of postponing expert witness depositions until after the parties attempt to resolve their
17 dispute at a settlement conference; and

18 WHEREAS the parties met and conferred, and hereby seek the Court to order their
19 attendance at a settlement conference and to amend the Court’s scheduling order to continue the
20 deadline for expert discovery until June 15, 2011 to allow the parties time to depose expert
21 witnesses, if necessary, after the settlement conference but before trial;

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