

1 **GRIMM, VRANJES, McCORMICK &**  
 2 **GRAHAM LLP**  
 3 Mark Vranjes, Esq. (SBN 106447)  
 4 Michael B. Martin, Esq. (SBN 147701)  
 5 Todd E. Jaworsky, Esq. (SBN 234423)  
 6 550 West C Street, Suite 1100  
 7 Post Office Box 129012  
 8 San Diego, CA 92112-9012  
 9 TEL: (619) 231-8802  
 10 FAX: (619) 233-6039  
 11 [mvrانjes@gvnglaw.com](mailto:mvrانjes@gvnglaw.com)  
 12 Attorneys for Defendant NORTH  
 13 AMERICAN CAPACITY INSURANCE  
 14 COMPANY

**LAW OFFICES OF JACK KENEALY**  
 Jack Kenealy, Esq. (SBN 76987)  
 Cecilia Modellmog, Esq.  
 327 College Street, Suite 110  
 Woodland, CA 95695  
 (530) 669-7736; fax: (530) 669-3615  
  
 Attorneys for Plaintiff WILLIAM A.  
 THAYER CONSTRUCTION, INC.

8 **UNITED STATES DISTRICT COURT**  
 9  
 10 **NORTHERN DISTRICT OF CALIFORNIA**

11 WILLIAM A. THAYER	)	<b>CASE NO:</b> CV10-01019 LHK ADR
12 CONSTRUCTION, INC.,	)	
13 Plaintiff,	)	<b>JOINT STIPULATED MOTION TO</b>
	)	<b>AMEND CURRENT DISCOVERY PLAN</b>
14 v.	)	
15 NORTH AMERICAN CAPACITY	)	Judge: Hon. Lucy H. Koh
16 INSURANCE COMPANY, and DOES 1-	)	Dept: 4
17 10,	)	Complaint Filed: 02/10/2010
	)	Trial Date: 07/11/2011
18 Defendant.	)	
	)	

18 Pursuant to F.R.C.P. 16(b) and Civil L. R. 16-10 and 7-12, plaintiff WILLIAM A. THAYER  
 19 CONSTRUCTION, INC. (hereinafter "THAYER") and defendant NORTH AMERICAN  
 20 CAPACITY INSURANCE COMPANY (hereinafter "NAC"), submit the following Joint Stipulated  
 21 Motion to Amend Current Discovery Plan as follows:

22 On November 11, 2010, this court issued a Minute Order and Case Management Order  
 23 setting forth various dates regarding the discovery in this action (Doc. 27). With regard to this Joint  
 24 Stipulated Motion, the expert disclosure deadline is currently set for January 10, 2011, while the  
 25 rebuttal expert disclosure deadline is currently set for January 24, 2011.

26 As a result of some outstanding responses to discovery requests, the parties require additional  
 27 time to review certain production of documents that will be forthcoming before the end of the year.  
 28 These documents will likely need to be turned over to potential experts for review in preparation to

1 formulate their opinions for disclosure on the given expert deadlines. Because the parties would like  
2 to allow the experts adequate time to evaluate such forthcoming documents, the parties request that  
3 this court move the expert disclosure deadline fourteen (14) days to January 24, 2011, and also move  
4 the rebuttal expert disclosure deadline fourteen (14) days to February 7, 2011. All other previous  
5 deadlines would stay in tact, including the discovery cutoff (February 28, 2011), dispositive motion  
6 deadlines (March 17, 2011), pre-trial conference date (May 25, 2011) and the jury trial date (July 11,  
7 2011).

8 The parties believe that moving the expert disclosure and rebuttal deadlines fourteen (14)  
9 days will not affect either party nor the court's already established deadlines set forth above.

10 In light of the above, THAYER and NAC respectfully request the discovery plan be altered  
11 to reflect the new dates set forth above for the expert disclosure and rebuttal expert disclosure.

12  
13 Dated: 12/21/10

GRIMM VRANJES  
McCORMICK & GRAHAM LLP

14  
15 BY: 

16 MARK VRANJES  
17 MICHAEL B. MARTIN  
18 TODD E. JAWORSKY  
Attorney for Defendant NORTH AMERICAN  
CAPACITY INSURANCE COMPANY

19  
20 Dated: \_\_\_\_\_

LAW OFFICES OF JACK KENEALY

21  
22 BY: \_\_\_\_\_

23 JACK KENEALY  
24 CECILIA MODDELMOG  
Attorney for Plaintiff WILLIAM A. THAYER  
CONSTRUCTION, INC.

25  
26 S:\Cases\2166083\pld\jt stip mot amend disc plan 01.wpd

Dated: 12-21-10

LAW OFFICES OF JACK KENEALY



BY: \_\_\_\_\_

JACK KENEALY  
CECILIA MODDELMOG  
Attorney for Plaintiff WILLIAM A.  
THAYER CONSTRUCTION, INC.

Pursuant to the parties' stipulation, the discovery deadlines are modified as set forth above.

IT IS SO ORDERED.

December 22, 2010

Date



Honorable Lucy H. Koh  
United States District Judge