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 18 CITY OF MOUNTAIN VIEW

19 UNITED STATES DISTRICT COURT  
 20 NORTHERN DISTRICT OF CALIFORNIA  
 21 SAN JOSE DIVISION

22 TERESI INVESTMENTS, a California  
 23 Limited Partnership

24 Plaintiff,

25 vs.

26 CITY OF MOUNTAIN VIEW, a Municipal  
 27 Corporation, and DOES 1-10, inclusive

28 Defendants.

Case No.: C10-04714 EJD

**STIPULATION, JOINT REQUEST AND  
 [PROPOSED] ORDER EXTENDING  
 FACT AND EXPERT DISCOVERY  
 DEADLINES**

STIPULATION, JOINT REQUEST AND [PROPOSED] ORDER EXTENDING FACT AND EXPERT DISCOVERY  
 DEADLINES

1  
2 WHEREAS the above-captioned matter was removed from the Superior Court of  
3 the State of California, County of Santa Clara to the United States District Court for the  
4 Northern District of California, San Jose Division on October 19, 2010;

5 WHEREAS on March 9, 2011, Chief Judge James Ware issued a scheduling  
6 order setting the close of all discovery in this case on March 16, 2012 and directing the  
7 parties to exchange and lodge with the Court all expert witness information and expert  
8 reports by January 13, 2012, *63 days before the close of discovery*;

9 WHEREAS Plaintiff filed by stipulation a first amended complaint on June 7,  
10 2011;

11 WHEREAS Defendant City of Mountain View filed an Answer to Plaintiff's First  
12 Amended Complaint and a Counterclaim on July 12, 2011;

13 WHEREAS the parties have made initial disclosures pursuant to Federal Rule of  
14 Civil Procedure 26, exchanged written discovery requests and jointly have produced  
15 more than 10,000 pages of documents in response to the respective written discovery  
16 requests;

17 WHEREAS each side continues to review the multitude of documents produced  
18 in this case;

19 WHEREAS the parties have retained experts but have been unable to provide  
20 their respective expert witnesses with all of the information necessary for their reports  
21 given that document review continues and the parties are still working on scheduling  
22 depositions;

23 WHEREAS the parties reserve the right to retain liability experts but are in  
24 agreement that at this time it appears the expert testimony primarily will be on the issue  
25 of damages;

26 WHEREAS Defendant City of Mountain View is currently drafting a motion for  
27 summary judgment as to all of Plaintiff's causes of action;

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STIPULATION, JOINT REQUEST AND [PROPOSED] ORDER EXTENDING FACT AND EXPERT DISCOVERY  
DEADLINES

1 WHEREAS Defendant City of Mountain View's motion for summary judgment will  
2 be filed within three weeks;

3 IT IS HEREBY STIPULATED and respectfully requested by all parties to this  
4 action that the fact discovery deadline be extended an additional 63 days to May 18,  
5 2012, that the expert disclosure deadline be extended to June 18, 2012 and that the  
6 expert discovery deadline be extended to July 27, 2012.


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8 Dated: January 4, 2012

**MATTEONI, O'LAUGHLIN & HECHTMAN**

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12 NORMAN EDWARD MATTEONI, ESQ.  
13 GERALD HOULIHAN, ESQ.  
14 Attorneys for Plaintiff  
15 TERESI INVESTMENTS

16  
17 Dated: January 4, 2012

**STUBBS & LEONE**

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19 \_\_\_\_\_  
20 LOUIS A. LEONE, ESQ.  
21 JENNIFER N. LOGUE, ESQ.  
22 Attorneys for Defendant  
23 CITY OF MOUNTAIN VIEW

24 Pursuant to the parties stipulation, IT IS ORDERED THAT:

- 25 1. Fact Discovery will close May 18, 2012;  
26 2. Expert Disclosure shall be made no later than June 18, 2012; and  
27 3. Expert Discovery will close July 27, 2012.  
28 4. The Preliminary Pretrial Conference scheduled for February 17, 2012, is CONTINUED to April 20, 2012, at 11:00 a.m. The parties shall file a Joint Preliminary Pretrial Conference Statement no later than April 10, 2012.

DATED: January 9, 2012

  
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EDWARD J. DAVILA  
United States District Judge