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11 Attorneys for Defendant  
STATE FARM GENERAL INSURANCE COMPANY  
12 (Erroneously sued as State Farm Insurance Company)

13 UNITED STATES DISTRICT COURT  
14 EASTERN DISTRICT OF CALIFORNIA

15 CHIERFUE HER and GE XIONG,

16 Plaintiffs,

17 v.

18 STATE FARM INSURANCE COMPANY, and  
19 DOES 1 to 20,

20 Defendant.  
21

CASE NO. 1:13-CV-01095-AWI-GSA

**STIPULATION AND ORDER TO  
PARTIALLY REVISE THE COURT'S  
CASE MANAGEMENT ORDER**

22 Plaintiffs and State Farm General Insurance Company ("State Farm"), by and through their  
23 respective counsel, hereby stipulate to revise the Court's September 25, 2013 Scheduling Order (Dkt  
24 8) as follows:

25 **I.  
RECITALS**

26 1. On March 6, 2014, State Farm filed a motion for summary judgment. (Dkt 9 – 1.)  
27 State Farm obtained a hearing date of April 7, 2014. The parties have met and conferred regarding  
28 the motion for summary judgment pursuant to the September 25, 2013 Scheduling Order and

1 determined that the motion and State Farm's separate statement of undisputed facts in support  
2 thereof are still necessary.

3 2. Trial is currently set for November 4, 2014 with a pre-trial conference on September  
4 11, 2014. The parties would like to obtain a ruling on State Farm's motion for summary judgment  
5 before incurring the additional attorney fees and costs that would not be necessary if State Farm  
6 prevails on its motion. Accordingly, the parties hereby stipulate to revising the Court's September  
7 25, 2013 Scheduling Order as follows.

8  
9 **II.**  
**STIPULATION**

10 The parties hereby stipulate to the following revisions to the court's Scheduling Order:

- 11 1. Final Pretrial Conference July 8, 2015 at 8:30 a.m.  
12 Courtroom 2, 8<sup>th</sup> Floor  
13 (currently September 11, 2014)
- 14 2. Trial September 1, 2015 at 8:30 a.m.  
15 Courtroom 2, 8<sup>th</sup> Floor  
16 (currently November 4, 2014)

17 Dated: August 28, 2014

TIMOTHY I. MARKS & ASSOCIATES

18  
19 By /S/ Timothy I. Marks  
20 TIMOTHY I. MARKS  
21 Attorneys for Plaintiffs  
22 CHIERFUE HER and GE XIONG

23 Dated: August 28, 2014

HAYES SCOTT BONINO ELLINGSON & McLAY, LLP

24  
25 By /S/ Stephen P. Ellingson  
26 STEPHEN M. HAYES  
27 STEPHEN P. ELLINGSON  
28 Attorneys for Defendant  
STATE FARM GENERAL INSURANCE  
COMPANY

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**ORDER**

Pursuant to the parties' stipulation, the Pre-Trial Conference and Trial are continued as follows:

- |                              |  |
|------------------------------|--|
| 1. Final Pretrial Conference | July 8, 2015 at 10:30 a.m.<br>Courtroom 2, 8 <sup>th</sup> Floor<br>(currently September 11, 2014)   |
| 2. Trial                     | September 1, 2015 at 8:30 a.m.<br>Courtroom 2, 8 <sup>th</sup> Floor<br>(currently November 4, 2014) |

IT IS SO ORDERED.

Dated: September 2, 2014

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE