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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

MICHELLE MOORE LLC,

Plaintiff,

v.

TOVES CLIMO LLC, TOVES INDUSTRIES LLC, MARC TOVES, and RICHARD CLIMO,

Defendants.

AND RELATED COUNTER-CLAIM

Case No. 2:25-cv-01319-DJC-CKD

Judge: Hon. Daniel J. Calabretta

STIPULATION TO EXTEND DISCOVERY DEADLINES; ORDER

Complaint Filed: May 7, 2025
Trial Date: June 14, 2027

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Pursuant to Local Rule 143, the parties hereby file a Stipulation to extend discovery deadlines as outlined below and in support thereof state the following:

1. Pursuant to the November 24, 2025 Scheduling Order, the following deadlines are set in this matter:

Scheduled Event	Date
Close of Fact Discovery	April 15, 2026
Expert Disclosures/Expert Reports	June 15, 2026
Rebuttal Disclosures/Expert Reports	July 15, 2026
Close of Expert Discovery	September 15, 2026
Last Day to File Dispositive Motions	September 4, 2026
Hearing on Dispositive Motions	January 7, 2027, at 1:30 p.m.
Final Pretrial Conference	April 22, 2027, at 1:30 p.m.
Bench Trial	June 14, 2027, at 9:00 a.m.

2. Plaintiff Michelle Moore LLC and Counter-Defendant Michelle Moore ("Plaintiff") were originally represented in this action by out-of-state lead counsel, with counsel from Donahue Fitzgerald LLP ("Donahue") appearing solely as local counsel for purposes of filing and compliance with California procedural requirements.

3. Plaintiff has recently chosen to discontinue representation by prior out-of-state counsel and to retain Donahue as lead counsel in this matter.

4. Due to scheduling conflicts related to trial obligations of the litigation attorney at Donahue previously handling the matter, Plaintiff's representation is now being transitioned to two (2) attorneys who were not previously involved in the day-to-day handling of this case.

5. Newly designated lead counsel requires a reasonable amount of time to review the pleadings, discovery to date, case strategy, and factual record in order to effectively and efficiently represent Plaintiff.

6. The parties are currently engaged in discovery, but additional time is needed to complete fact and expert discovery, and conduct depositions.

7. This is the parties' first request for an extension of discovery deadlines in this case, and the extension requested is modest. This request is made in good faith, and is not sought for purposes of delay.

8. The parties agree that a brief extension of the fact discovery deadline will promote the interests of justice, allow discovery to be completed on the merits.

9. The current fact discovery cutoff is April 15, 2026, while trial is not scheduled until June 14, 2027, leaving ample time in the overall case schedule to accommodate a modest extension of discovery deadlines without impacting dispositive motion deadlines or the trial date, or prejudicing any party.

10. Therefore, counsel for both parties respectfully request that this Court extend the deadlines as follows:

Item	Current Deadline	New Proposed Deadline
Fact Discovery Cutoff	April 15, 2026	June 1, 2026
Expert Disclosures/Expert Reports	June 15, 2026	July 10, 2026
Rebuttal Disclosures/Reports	July 15, 20261	August 14, 2026
Expert Discovery Cutoff	September 15, 2026	September 30, 2026
Last Day to File Dispositive Motions	September 4, 2026	No Change
Hearing on Dispositive Motions	January 7, 2027, 1:30 pm	No Change
Final Pretrial Conference	April 22, 2027, at 1:30 p.m.	No Change
Bench Trial	June 14, 2027, 9:00 a.m.	No Change

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IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

Dated: January 22, 2026

DONAHUE FITZGERALD LLP
Attorneys at Law

By: */s/Padmini Cheruvu*
Dawn Newton
Andrew S. MacKay
Hayley M. Lenahan
Padmini Cheruvu
Attorneys for Plaintiff and Counter-Defendants MICHELLE MOORE LLC and MICHELLE MOORE

Dated: January 22, 2026

PETERSON WATTS LAW GROUP, LLP

By: */s/Glenn W. Peterson*
(as authorized on January 22, 2026)
Glenn W. Peterson
Tara L. Paris
Attorneys for Defendants/Counterclaimants TOVES CLIMO LLC, TOVES INDUSTRIES, LLC, MARC TOVES, and RICHARD CLIMO

ORDER

The above **STIPULATION TO EXTEND DEADLINES** is approved for this case. The deadlines are extended as outlined in the Stipulation.

IT IS SO ORDERED.

Dated: January 22, 2026

/s/ Daniel J. Calabretta
THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE