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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

DR. IMAN SADEGHI, an individual,

Plaintiff,

vs.

PINSSCREEN, INC., a Delaware Corporation;
DR. HAO LI, an individual; and DOES 1
through 100,

Defendants.

)
) Case No.: BC 709376

)
) Assigned for all purposes to
) Hon. Lia Martin, Dept. 16

)
) **STIPULATED EX PARTE APPLICATION**
) **FOR AN ORDER TO CONTINUE THE**
) **TRIAL DATE, FINAL STATUS**
) **CONFERENCE AND RELATED DATES**

)
) **[Cal. Rules of Court, rules 1.10(c), 3.1200, et.**
) **seq., 3.1332; C.C.P. § 128]**

)
) Date: November 25, 2020
) Time: 8:30 a.m.
) Dept.: 16

)
) Complaint Filed: June 11, 2018
) FSC Date: December 18, 2021
) Trial Date: January 5, 2021

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STIPULATED EX PARTE APPLICATION

Plaintiff Dr. Iman Sadeghi (“Plaintiff”) and Defendant Pinscreen, Inc. (“Pinscreen”), by and through their undersigned counsel of record, hereby declare, stipulate, and agree, subject to Court approval, as follows.

WHEREAS, the Final Status Conference in this matter is scheduled for December 18, 2020 at 9:00 a.m.; and a Jury Trial is scheduled to commence on January 5, 2021 at 9:30 a.m.;

WHEREAS, the parties have agreed to a full-day mediation with Hon. Edward A. Ferns (Ret.) of Signature Resolution, and have reserved December 17, 2020 as their mediation date;

WHEREAS, given the proximity of trial, the parties also have significant discovery obligations to complete and both sides have either set or met and conferred regarding the setting of party and expert depositions, and the parties are agreeable to extending all discovery deadlines to run with the new trial date (except that the parties have already made their initial expert exchange pursuant to C.C.P. § 2034.260 and thus agree that this date need not be extended);

WHEREAS, it would be impracticable, if not impossible, for the parties to prepare for the mediation and also complete discovery and take all outstanding depositions, as well as prepare for an FSC the next day and a trial two weeks later, and the cost for doing so would be prohibitive;

WHEREAS, in addition, the parties have several motions discovery motions pending in connection with significant discovery issues that due to the Court’s calendar had to be scheduled for dates after the scheduled trial date, with hearing dates from June 1, 2021 through August 11, 2021, which dates would need to be advanced before the current trial date;

WHEREAS, in addition, the hearing on Plaintiff’s demurrer and motion to strike re: Pinscreen’s Answer to the TAC is scheduled for July 22, 2021, and thus Plaintiff contends that the pleadings are not set; and Defendants’ motion to dismiss Dr. Hao Li following the sustaining of demurrers to the TAC is scheduled for September 8, 2021, and Defendants contend that Dr. Li should properly be dismissed from this matter before trial commences;

WHEREAS, for the aforementioned reasons, and to avoid motion practice regarding deposition scheduling, the Parties believe that a continuance of 90 to 120 days in the trial and FSC

1 dates will permit the parties to focus their resources on successfully mediating the case, as well as
2 finalizing and executing a long-form settlement agreement should the mediation be successful;

3 WHEREAS if the mediation is unsuccessful, a continuance will permit the parties to
4 conclude the depositions and other outstanding discovery, and to resolve any pending discovery
5 issues pursuant to the motions that are currently pending before the Court;

6 WHEREAS, finally, given the escalating Covid-19 crisis, it appears increasingly unlikely
7 that in-person jury trials will be able to proceed starting in January, 2021 or that the logistical
8 challenges of conduct such a trial would outweigh the benefits of a continuance to Spring 2021
9 when the pandemic is currently projected to lessen, including due to the introduction of vaccines;

10 AND WHEREAS, the Parties have never requested a continuance of the trial date and are
11 informed and believe that no Party will be prejudiced by a brief continuance;

12 IT IS THEREFORE HEREBY DECLARED, STIPULATED, AND AGREED BY THE
13 PARTIES TO THIS ACTION, AS FOLLOWS:

14 1. That the Jury Trial in this matter be continued from January 5, 2021 to a date 90 to
15 120 days thereafter, or to a later date at the Court's discretion;

16 2. That the Final Status Conference be continued from December 18, 2020 to a date
17 90 to 120 days thereafter, or to a later date at the Court's discretion;

18 3. That all trial and pretrial deadlines, including but not limited to discovery and
19 motion cutoffs, be controlled by the new trial and FSC dates except for the parties' initial expert
20 witness exchange (C.C.P. § 2034.260), which has already occurred;

21 IT IS SO STIPULATED

22 Dated: November 24, 2020 FERNALD LAW GROUP, APC

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24 By: _____
25 Adam P. Zaffos
26 Attorneys for Plaintiff
27 Dr. Iman Sadeghi


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Dated: November 24, 2020

GRAYVER LAW GROUP, P.C.
LAW OFFICES OF BENJAMIN DAVIDSON, P.C.

By: 
Leonard Grayver
Benjamin Davidson
Attorneys for Defendants