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7 UNITED STATES DISTRICT COURT
8 SOUTHERN DISTRICT OF CALIFORNIA
9

10 CROSSFIT, INC., a Delaware
corporation,

11 Plaintiff,

12 v.
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14 NATIONAL STRENGTH AND
CONDITIONING ASSOCIATION, a
Colorado corporation,

15 Defendant.
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Case No. 3:14-cv-01191-JLS-KSC

**JOINT MOTION TO EXTEND
EXPERT DISCOVERY DATES**

The Hon. Karen S. Crawford

Pursuant to the Chamber Rules and Civil Pretrial Procedures of the Honorable Karen S. Crawford, Plaintiff CrossFit, Inc. (“CrossFit” or “Plaintiff”) and Defendant National Strength and Conditioning Association (“NSCA” or “Defendant”) (collectively, the “Parties”) hereby jointly petition the Court to extend the deadlines for expert discovery set forth in the Court’s July 16, 2015 Second Amended Scheduling Order Regulating Discovery and Other Pre-Trial Proceedings (Doc. No. 62) (the “Scheduling Order”) for thirty days so the parties may focus their time and resources on mediation while temporarily suspending expert-related costs.

Pursuant to the Scheduling Order, the Court set the following expert-related deadlines (“Expert Deadlines”):

- 01/18/2016: Expert Witness Disclosures Due.
- 02/01/2016: Last Day to Disclose Expert Rebuttal Evidence.
- 03/01/2016: Expert Discovery Cutoff.

“Absent an order of the Court, no stipulation continuing or altering this requirement will be recognized by the Court.” In light of the approaching Expert Deadlines, CrossFit and the NSCA have conferred and agree that a brief thirty-day extension is necessary so the parties can focus their resources on mediation in mid-January and temporarily suspend their respective expert analyses to reduce costs. For this reason, the Parties request that the Court extend the Expert Deadlines as follows so the Parties may focus on mediation:

- 02/18/2016: Expert Witness Disclosures Due
- 03/01/2016: Last Day to Disclose Expert Rebuttal Evidence
- 04/01/2016: Expert Discovery Cutoff

In support of this Motion, CrossFit and the NSCA also represent that they have met and conferred on several fact discovery-related disputes. Several of the disputes are in the process of being informally resolved, but the Parties have reached an impasse concerning at least three discovery issues. By mediating in mid-January 2016, and extending the Expert Deadlines, the Parties will have an opportunity to

1 reach a global resolution before filing their Joint Discovery Motions.

2 The Parties are amenable to a conference at the Court's convenience to discuss
3 this request or any other discovery issues in this case.

4 Respectfully Submitted,

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6 Dated: December 31, 2015

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1 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative
2 Policies and Procedures of the United States District Court for the Southern District
3 of California, I certify that the content of this document is acceptable to counsel for
4 the Defendant and that I have obtained authorization from Kenneth S. Kawabata to
5 affix his electronic signature to this document.

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7 /s/Micha Danzig
8 Micha Danzig, Esq.
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CERTIFICATE OF SERVICE

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of San Diego, State of California, and am not a party to the above-entitled action.

On December 31, 2015, I filed a copy of the foregoing document by electronically filing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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Executed on December 31, 2015, at San Diego, California. I hereby certify that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

/s/Micha Danzig

Micha Danzig, Esq.