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13 *Attorney for Plaintiff*

14 **IN THE UNITED STATES DISTRICT COURT**
15 **FOR THE DISTRICT OF ARIZONA**

16 Diane Andress, for and on behalf of
17 herself and surviving beneficiaries,

18 Plaintiff,

19 v.

20 Jessica Schmit, C.N.A. and John Doe
21 Schmit, husband and wife; MGA
22 Healthcare Staffing, Inc.; and United
23 States of America,

24 Defendants.

No. 06-CV-170-TUC-JMR

**STIPULATION TO AMEND
SCHEDULING ORDER**

25 The parties, by and through undersigned counsel, stipulate that the scheduling
26 order be amended to extend deadlines to complete the discovery process.

27 Expert witnesses were disclosed on July 9, 2007. Rebuttal witnesses were
28 disclosed on August 20, 2007. The current discovery deadline is September 24, 2007.
Depositions of fact witnesses and the parties have been completed. The parties are
cooperating to set expert depositions; however, they cannot be completed by September
24, 2007.

There are four expert witnesses to be deposed. These experts are located in
Cummaquid, Massachusetts, Merced, California, Pasadena, California, and Phoenix,

1 Arizona. Although the parties are working together, scheduling has been difficult with
2 the schedules of three attorneys and the expert witnesses.

3 Accordingly, the parties request the Court amend the scheduling order to extend
4 the discovery deadline to February 15, 2008. The parties also request the Court extend
5 the deadline to file dispositive motions to March 14, 2008 and the deadline to file the
6 joint proposed pretrial order to May 16, 2008. In the event that dispositive motions have
7 been filed but have not yet been decided by the Court, the joint proposed pretrial order
8 will be due thirty (30) days after the Court has decided the motions.

9 Plaintiff's counsel certifies that both defense counsels have authorized her to sign
10 on their behalf.

11 DATED this 6th day of September, 2007.

12 **PICCARRETA DAVIS, P.C.**

13
14 By: s/Amy Hernandez

15 Barry M. Davis

16 Amy Hernandez

Attorneys for Plaintiff

17 **UNITED STATES ATTORNEY**

18 By: s/J. Cole Hernandez with permission

19 J. Cole Hernandez

20 Attorneys for Defendant U.S.

21 **CAMPBELL, YOST, CLARE**
22 **& NORELL, P.C.**

23 By: s/Sandra J. Rogers with permission

24 Sandra J. Rogers

25 Attorneys for Defendants Schmit and

26 MGA Healthcare Staffing, Inc.
27
28

1 Copy of the foregoing e-mailed
2 this 6th day of September, 2007 to:

3 The Honorable John Roll
4 405 West Congress, #5190
5 Tucson, Arizona 85701

6 Copy of the foregoing mailed
7 this 6th day of September, 2007 to:

8 Mike Bloom, Esq.
9 Michael J. Bloom, P.C.
10 100 North Stone Avenue, Suite 701
11 Tucson, Arizona 85701
12 *Attorney for Plaintiff*

13 s/Marilyn Woods

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