

1 LAWRENCE G. BROWN
 Acting United States Attorney
 2 JEFFREY J. LODGE
 Assistant United States Attorney
 3 United States Courthouse
 2500 Tulare Street, Suite 4401
 4 Fresno, California 93721
 Telephone: (559) 497-4000
 5 Facsimile: (559) 497-4099

6 Attorneys for Defendant/Third-Party Plaintiff
 United States of America
 7

8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**

10 LORENA S. ALVARADO, a minor,)
 11 by and through her Guardian)
 ad Litem LORENA ALVARADO,)
 12 Plaintiff,)
 13 v.)
 14 UNITED STATES OF AMERICA,)
 15 Defendant.)
 16

1:06-cv-01381-OWW-DLB

**STIPULATION RE SCHEDULING
 DATES; ORDER**

17 UNITED STATES OF AMERICA,)
 18 Third-Party Plaintiff,)
 19 v.)
 20 CHILDREN'S HOSPITAL CENTRAL)
 CALIFORNIA, JOHN E. DINSMORE,)
 21 MD, DAVID HODGE, MD, and JILL)
 GHANBARIAN, FNP,)
 22 Third-Party Defendants.)
 23

24 The parties hereby stipulate, by and through their
 25 respective counsel, to revise the discovery deadline, expert
 26 disclosure dates, and other related deadlines. A short extension
 27 of the deadlines is necessary to accommodate the schedules of the
 28 ///

1 witnesses and counsel. The parties do not seek to continue this
2 action's trial date.

3 The parties base this stipulation on good cause. Many of
4 the witnesses are medical professionals with limited ability to
5 be available for discovery. One of the treating physicians has
6 relocated to Virginia. A short extension of the expert
7 disclosure deadlines, discovery, and motion cutoffs is necessary
8 to accommodate the schedules of the witnesses and counsel.

9 Based on the above, the parties hereby stipulate to extend
10 the following deadlines:

	<u>Old Date</u>	<u>New Date</u>
11 Third party Defendants' 12 disclose expert witnesses:	February 6, 2009	March 6, 2009
13 Plaintiff and United States 14 disclose supplemental 15 expert witnesses:	March 6, 2009	April 3, 2009
16 Cutoff for non-expert discovery:	March 6, 2009	April 17, 2009
17 Cutoff for expert 18 discovery:	June 5, 2009	June 26, 2009
19 Last day to file non-dispositive motions:	June 19, 2009	July 24, 2009
20 Last day to file 21 dispositive motions:	August 7, 2009	September 11, 2009
22 Pre-trial conference:	October 26, 2009	November 9, 2009

23
24 Motions shall be set on the first available date after the filing
25 cutoff, allowing for timely service. All other deadlines set
26 forth in the Scheduling Conference Order filed September 22,
27 2008, shall remain in effect unless otherwise approved by the
28

1 Court. The parties request the Court to endorse this stipulation
2 by way of formal order.

3 Respectfully submitted,

4 Dated: January 30, 2009. GWILLIAM, IVARY, CHIOSSO, CAVALLI &
5 BREWER

6 /s/ Steven J. Brewer (auth. 1-30-09)
7 By: Steven J. Brewer
8 Attorneys for Plaintiff

9 Dated: January 30, 2009. MCNAMARA, DODGE, NEY, BEATTY,
10 SLATTERY, PFALZER, BORGES &
11 BROTHERS, LLP

12 /s/ Robert W. Hodges (auth. 1-30-09)
13 By: Robert W. Hodges
14 Attorneys for Third-Party
15 Defendant, David Hodge, MD

16 Dated: January 30, 2009. STAMMER, MCKNIGHT, BARNUM & BAILEY,
17 LLP

18 /s/ Jerry D. Jones (auth. 1-30-09)
19 By: Jerry D. Jones
20 Attorneys for Third-Party
21 Defendants, Children's Hospital
22 Central California and Jill
23 Ghanbarian, FNP

24 Dated: January 30, 2009. MCCORMICK, BARSTOW, SHEPPARD, WAYTE
25 & CARRUTH, LLP

26 /s/ Lawrence E. Wayte (auth. 1-30-09)
27 By: Lawrence E. Wayte
28 Attorneys for Third-Party
Defendant, John E. Dinsmore, MD

///

///

///

///

1 Dated: January 29, 2009.

LAWRENCE G. BROWN
Acting United States Attorney

2
3 By: /s/ Jeffrey J. Lodge
JEFFREY J. LODGE
4 Assistant U.S. Attorney
Attorneys for Federal Cross-
5 Defendants United States of
6 America and United States
Postal Service

7
8
9 **ORDER**

10 IT IS SO ORDERED.

11 **Dated:** January 30, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE