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7 Attorneys for Defendants
8 BNSF RAILWAY COMPANY and NATIONAL
RAILROAD PASSENGER CORPORATION
9

10 UNITED STATES DISTRICT COURT

11 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION
12

13 MARY G. LOPEZ, individually and as
Successor-In-Interest on behalf of
14 Decedent, SALVADOR V. LOPEZ;
SALVADOR M. LOPEZ, individually and
15 as Successor-In-Interest on behalf of
Decedent, SALVADOR V. LOPEZ;
16 OSVALDO RENE LOPEZ, a minor, by
and through Guardian ad Litem, MARY G.
17 LOPEZ; TOMMY GREGORY LOPEZ, a
minor, by and through Guardian ad Litem,
18 MARY G. LOPEZ; and MEGHIN
LEANNE LOPEZ, a minor, by and through
19 Guardian ad Litem, MARY G. LOPEZ

20 Plaintiffs,

21 v.

22 BNSF RAILWAY COMPANY,
NATIONAL RAILROAD PASSENGER
23 CORPORATION (AMTRAK); STATE OF
CALIFORNIA; CALIFORNIA
24 DEPARTMENT OF TRANSPORTATION
(CALTRANS); COUNTY OF KERN;
25 CITY OF DELANO; CITY OF
McFARLAND; CITY OF WASCO; and
26 DOES 1 through 200, Inclusive,

27 Defendants.
28

Case No. 1:07-cv-01417 OWW GSA

**STIPULATION TO CONTINUE
DEADLINES FOR NON-EXPERT
DISCOVERY CUT-OFF, EXPERT
WITNESS DISCLOSURES AND
SUPPLEMENTAL EXPERT WITNESS
DISCLOSURES**

IT IS HEREBY STIPULATED by and between Plaintiffs MARY G. LOPEZ, SALVADOR M. LOPEZ, OSVALDO RENE LOPEZ, a minor, by and through Guardian ad Litem, TOMMIE CRUZ; TOMMY GREGORY LOPEZ, a minor, by and through Guardian ad Litem, TOMMIE CRUZ; and MEGHIN LEANNE LOPEZ, a minor, by and through Guardian ad Litem, TOMMIE CRUZ (collectively "Plaintiffs") and Defendants BNSF RAILWAY COMPANY and NATIONAL RAILROAD PASSENGER CORPORATION (collectively "Defendants"), through their designated counsel, that the deadlines for expert witness disclosures, supplemental expert witness disclosures and for the non-expert discovery cut-off be continued thirty (30) days.

Accordingly, per the instant stipulation, the parties request that the following dates be set by the Court:

- Non-Expert Discovery Cut-Off: October 7, 2009;
- Expert Witness Disclosures [Fed. R. Civ. P. 26(a)(2)]: October 7, 2009; and
- Supplemental Expert Disclosures [Fed. R. Civ. P. 26(a)(2)(C)]: November 16, 2009.

The above-detailed extensions will not affect the dates set by the Court for the filing of dispositive motions, non-dispositive motions, the Mandatory Settlement Conference, the Pre-Trial Conference, or Trial.

DATED: September 9, 2009

MCNICHOLAS & MCNICHOLAS, LLP

By: /s/ Juan C. Victoria

JUAN C. VICTORIA
Attorneys for Plaintiffs
OSVALDO RENE LOPEZ, a minor, by and through
Guardian ad Litem, TOMMIE CRUZ; TOMMY
GREGORY LOPEZ, a minor, by and through
Guardian ad Litem, TOMMIE CRUZ; and MEGHIN
LEANNE LOPEZ, a minor, by and through
Guardian ad Litem, TOMMIE CRUZ

1 DATED: September 10, 2009

2
3 By: /s/ Mary G. Lopez
4 MARY G. LOPEZ
5 Plaintiff Pro Se

6 DATED: September 10, 2009

7 By: /s/ Salvador M. Lopez
8 SALVADOR M. LOPEZ
9 Plaintiff Pro Se

10 DATED: September 14, 2009

11 LOMBARDI, LOPER & CONANT

12 By: /s/ Jason B. Shane
13 JASON B. SHANE
14 Attorneys for Defendants
15 BNSF RAILWAY COMPANY and NATIONAL
16 RAILROAD PASSENGER CORPORATION

17 IT IS SO ORDERED.

18 DATED: 9/14/2009

19 /s/ OLIVER W. WANGER
20 HON. OLIVER W. WANGER
21 UNITED STATES DISTRICT JUDGE