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Attorneys for Defendant  
WAL-MART STORES, INC.

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ZANE HARDIN,

Plaintiff,

vs.

WAL-MART STORES, INC.,

Defendant.

**CASE NO.: 1:08-CV-00617 AWI-BAM**

**EXPARTE APPLICATION, JOINT  
STIPULATION, AND ORDER  
BRIEFLY EXTENDING NONEXPERT**

**DISCOVERY DEADLINE**

Plaintiff Zane Hardin went in for Cancer Surgery on October 17, 2011. Depositions were originally set for Plaintiff and Wal-Mart employees for October 25 and 26. In light of

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the surgery, and need for recovery time, the parties have agreed to postpone the depositions. The nonexpert discovery cutoff is presently set for November 7. The parties jointly request a modification of the scheduling order to allow the nonexpert discovery cutoff to be extended to December 15, 2011. The proposed extension of time to complete non-expert discovery is necessary to allow the parties to conduct and complete necessary depositions and follow up discovery and factual investigation relating to allegations in plaintiff's Third Amended Complaint.

So agreed:  
Dated:10/19/11

/s/ John A. Shepardson  
John A. Shepardson, Esq.  
for Plaintiff Zane Hardin

Dated: 10/19/11

/s/ Anna C. Gehriger  
Anna C. Gehriger, Esq.  
for Wal-Mart Stores, Inc.

The nonexpert discovery cutoff is extended to December 15, 2011.

IT IS SO ORDERED.

**Dated: October 20, 2011**

**/s/ Barbara A. McAuliffe**  
UNITED STATES MAGISTRATE JUDGE