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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

12 KAREN SCHELLER,

13 Plaintiff,

14 v.

15 AMERICAN MEDICAL RESPONSE, INC., a
16 foreign corporation, CINDY WOOLSTON,
17 et al.,

18 Defendants.

Case No.: 1:08-CV-00798 OWW DLB

**STIPULATION AND ORDER RE:
SETTLEMENT AND DISPOSITION**

Complaint Filed: February 20, 2008

19 Plaintiff Karen Scheller and Defendant American Medical Response, Inc., by and
20 through their attorneys in this regard, upon stipulation hereby request an extension of time of
21 twenty-nine (29) days to file their Stipulation of Dismissal. In support of this stipulation, the
22 parties state as follows:

23 1. On June 30, 2011, Plaintiff submitted a Notice of Settlement in this case,
24 indicating that the parties anticipated filing a Stipulation for Dismissal within twenty-one (21)
25 days, pursuant to Local Rule 160.

26 2. On June 30, 2011, this Court entered a Minute Order ordering that a Stipulation
27 of Settlement and Proposed Order be filed within twenty-one (21) days.

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1 3. The deadline to file dispositional documents is currently July 21, 2011.

2 4. Despite the parties' diligence, the parties will not be prepared to file a
3 Stipulation for Dismissal or other dispositional document by that date.

4 5. AMR's in-house counsel was unable to review the draft settlement agreement
5 until July 11, 2011, due to his vacation schedule. Therefore, AMR's counsel was not able to
6 forward a draft agreement to Plaintiff's counsel, Brett Dickerson, until July 13, 2011.

7 6. Under the terms of the Older Workers Benefit Protection Act, and because
8 Plaintiff is over 40, Plaintiff will have twenty-one (21) days to consider the agreement once the
9 final language is agreed to, and seven (7) days to revoke the agreement once it has been
10 executed. See 29 U.S.C. section 626(f).

11 7. The parties are working diligently to finalize the settlement agreement, and
12 anticipate being able to file a Stipulation for Dismissal or other dispositional document no later
13 than August 19, 2011.

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15 WHEREFORE, Plaintiff Karen Scheller and Defendant American Medical Response,
16 Inc., respectfully submit their stipulation providing the parties with an extension of time until
17 August 19, 2011, to submit their Stipulation of Settlement and Proposed Order or other
18 dispositional document.

19
20 IT IS SO STIPULATED:

21 Dated: July 14, 2011

GIANELLI & ASSOCIATES

22
23 By: /s/ as authorized on 7/14/2011
BRETT L. DICKERSON
Attorneys for Plaintiff KAREN SCHELLER

24
25 Dated: July 14, 2011

FISHER & PHILLIPS LLP

26 By: /s/
JENNIFER ACHTERT
Attorneys for Defendant
AMERICAN MEDICAL RESPONSE, INC.

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ORDER

Based upon the stipulation of the Parties, and good cause having been shown, it is hereby ORDERED that the Parties shall submit a Stipulation of Settlement and Proposed Order or other dispositional document in this case on or before August 19, 2011.

IT IS SO ORDERED.

Dated: July 15, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE