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7 Attorneys for Defendants
8 NATIONAL RAILROAD PASSENGER
CORPORATION (erroneously sued herein as
9 AMTRAK CALIFORNIA), BNSF RAILWAY
COMPANY (erroneously sued herein as
10 BURLINGTON NORTHERN SANTA FE
RAILWAY), and STATE OF CALIFORNIA,
11 DEPARTMENT OF TRANSPORTATION

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

15 LUCIO CORRAL RODRIGUEZ,
individually and as Successor in Interest to
16 the decedents, MARICRUZ CORRAL,
IVAN ALEXANDER CORRAL, and
17 LUCIO ANTHONY CORRAL,

18 Plaintiffs,

19 v.

20 COUNTY OF STANISLAUS; CITY OF
MODESTO; CITY OF RIVERBANK;
21 STATE OF CALIFORNIA; AMTRAK
CALIFORNIA; BURLINGTON
22 NORTHERN SANTA FE RAILWAY; and
DOES 1 to 200,

23 Defendants.

24
25 AND ALL RELATED ACTIONS.

Case No. 1:08-cv-00856 OWW GSA

**STIPULATION SHORTENING TIME TO
HEAR DEFENDANTS NATIONAL
RAILROAD PASSENGER
CORPORATION, BNSF RAILWAY
COMPANY AND STATE OF
CALIFORNIA, DEPARTMENT OF
TRANSPORTATION'S MOTION TO
COMPEL PRODUCTION OF
INSPECTION VIDEO AND DOCUMENTS
RELATING DECEDENT'S ATTENDANCE
AT MODESTO JUNIOR COLLEGE, AND
DEPOSITION OF CPS SECURITY
SOLUTIONS, INC. [PROPOSED] ORDER**

26
27 IT IS HEREBY STIPULATED by and between Defendants National Railroad Passenger
28 Corporation, BNSF Railway Company and State of California, Department of Transportation

1 (collectively “Defendants”) and Plaintiff Lucio Corral Rodriguez (“Plaintiff”), by and through
2 their counsel of record, that Defendants’ Motion To Compel Production Of Inspection Video And
3 Documents Relating Decedent’s Attendance At Modesto Junior College, And Deposition Of CPS
4 Security Solutions, Inc. may be heard on shortened time pursuant to Local Rule 144(e). This
5 stipulation is made because expert discovery presently closes on July 30, 2010.

6 IT IS HEREBY FURTHER STIPULATED that the nonmoving parties will have at least
7 seven (7) calendar days to file any opposition to the Motion to Compel.

8 IT IS HEREBY FURTHER STIPULATED that, in the interest of having the Motion to
9 Compel heard at the Court’s earliest convenience, Defendants waive their right to file a written
10 reply in support of the Motion but reserve their right to orally reply at the motion hearing to be set
11 by the Court.

12 Dated: July 15, 2010

CARCIONE, CATTERMOLLE, ET AL.

13
14 By: /s/ Aaron B. Markowitz
15 JOSEPH W. CARCIONE
16 AARON B. MARKOWITZ
17 Attorneys for Plaintiff
18 LUCIO CORRAL RODRIGUEZ

19
20 Dated: July 15, 2010

LOMBARDI, LOPER & CONANT, LLP

21 By: /s/ Jason B. Shane
22 B. CLYDE HUTCHINSON
23 VINCENT CASTILLO
24 JASON B. SHANE
25 Attorneys for Defendants
26 NATIONAL RAILROAD PASSENGER
27 CORPORATION, BNSF RAILWAY
28 COMPANY and STATE OF
CALIFORNIA, DEPARTMENT OF
TRANSPORTATION

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ORDER

The stipulation is ADOPTED IN PART.

IT IS HEREBY ORDERED that Defendants National Railroad Passenger Corporation, BNSF Railway Company and State of California, Department of Transportation's Motion To Compel Production Of Inspection Video And Documents Relating Decedent's Attendance At Modesto Junior College, And Deposition Of CPS Security Solutions, Inc. will be heard at the Court's earliest convenience. Therefore, the Motion will be heard on **August 6, 2010, 9:30 a.m.** in Department 10 of the above-entitled court.

The parties are directed to file a Joint Statement re Discovery Disagreement pursuant to Local Rule 251(c); an exception pursuant to subdivision (e) of that rule does not apply. **The parties shall file the Joint Statement no later than July 30, 2010.**

The Court acknowledges that expert discovery closes on July 30, 2010 (Doc. 161), nevertheless, any order affecting the expert discovery deadline, regarding the issues outlined above only, will be made *nunc pro tunc* as necessary.

IT IS SO ORDERED.

DATED: July 16, 2010

/s/ Gary S. Austin
HON. GARY S. AUSTIN
UNITED STATES MAGISTRATE JUDGE