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9 IN THE UNITED STATES DISTRICT COURT FOR THE
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,) Case No.: 1:09-cv-0820 OWW-SKO
12)
13 Plaintiff,) **STIPULATION AND ORDER REGARDING**
14 v.) **CASE SCHEDULE**
15)
16 TIMBERLINE ENVIRONMENTAL)
SERVICES, TERRY NORTHCUTT AND)
17 JILL NORTHCUTT,)
18 Defendants.)
19)

20 Plaintiff United States of America ("United States"), and
21 Defendants Timberline Environmental Services, Terry Northcutt
22 and Jill Northcutt ("Defendants") respectfully submit this
23 stipulation regarding the case schedule.

24 The reason for the requested continuance is as follows:

25 1. The defendants were prepared to designate an expert on
26 issues including standard of care, but their expert suffered a
27 serious leg injury shortly before the designation deadline that
28 required hospitalization and has rendered him unavailable. The

defendants have retained a substitute expert witness who is in the process of completing his evaluation and report; and

2. Upon receipt of the expert report from Defendants on the issue of the standard of care, Plaintiff intends to retain and designate a rebuttal expert. Because the parties have conferred informally regarding the anticipated scope of expert testimony on the standard of care, Plaintiff has already started the process of retaining a rebuttal witness. However, Plaintiff's witness will be unavailable until after the July 4 holiday to begin his evaluation.

Accordingly, the parties jointly request that the case schedule be modified as follows:

	<u>Old Dates</u>	<u>New Dates</u>
Supplemental Expert disclosure:	6/25/10	7/23/10
Expert discovery:	7/16/10	8/20/10

The Non-Dispositive motion filing deadline of July 16, 2010, Settlement Conference of August 19, 2010, the Pre-trial Conference of August 30, 2010, and the Trial date of October 5, 2010, will remain the same.

Respectfully submitted,

Dated: June 24, 2010 BENJAMIN B. WAGNER
United States Attorney

By: /s/Glen F. Dorgan
GLEN F. DORGAN

Dated: June 24, 2010 LAW OFFICES OF
NISSON, PINCIN & HILL
/s/ Timothy Nisson
TIMOTHY NISSON
Attorneys for Defendants

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United States of America

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

UNITED STATES OF AMERICA,)	CASE NO: 1:09-cv-0820 OWW-SKO
)	
Plaintiff,)	
)	ORDER REGARDING
v.)	CASE SCHEDULE
)	
TIMBERLINE ENVIRONMENTAL)	
SERVICES, TERRY NORTHCUTT AND)	
JILL NORTHCUTT,)	
)	
Defendants.)	
)	
)	

Based upon the stipulation of the parties, and good cause appearing therefore, IT IS HEREBY ORDERED that the case schedule is modified as follows:

	<u>Old Dates</u>	<u>New Dates</u>
Supplemental Expert disclosure:	6/25/10	7/23/10
Expert discovery:	7/16/10	8/20/10

The Non-Dispositive Motion Filing Deadline, Settlement Conference of August 19, 2010, the Pre-trial Conference of

1 August 30, 2010, and the Trial date of October 5, 2010, will
2 remain the same.

3
4
5
6 IT IS SO ORDERED.

7 **Dated: June 25, 2010**

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE