

) **(4) TO EXTEND TIME TO RESPOND**
) **TO THE FIRST SET OF REQUESTS**
) **FOR PRODUCTION OF DOCUMENTS**

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) Action Filed: July 24, 2009
) Trial Date: None
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THE PARTIES TO THE ABOVE-CAPTIONED MATTER, by and through their respective attorneys of record, hereby enter into this stipulation based on the following:

WHEREAS, on September 15, 2009, defendant Corrections Corporation of America (“CCA”) filed its motion to dismiss and motion to strike plaintiff Terry Sandres’ (“Plaintiff”) complaint (“Complaint”) pursuant to Federal Rule of Civil Procedure (“FRCP”) 12(b)(6) and 12(f).

WHEREAS, on October 1, 2009, Plaintiff filed a First Amended Complaint (“FAC”).

WHEREAS, based on the filing of the FAC, CCA agrees to withdraw its motion to dismiss and motion to strike the Complaint and requests that the hearing date of November 23, 2009 for these motions be vacated.

WHEREAS, CCA anticipates filing a motion to strike the FAC pursuant to FRCP 12(f) (the “12(f) Motion”).

WHEREAS, counsel for both parties have agreed that CCA may answer the FAC within 55 days from the FAC filing date of October 1, 2009.

WHEREAS, counsel for both parties have agreed that the parties may propound written discovery prior to the FRCP 26(f) conference.

WHEREAS, counsel for both parties have agreed that each party will have 45 days to respond to the first set of requests for production of documents propounded (extended an additional three days for any discovery served by mail pursuant to FRCP 6(d)) by either party.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties through their respective attorneys of record as follows:

1. The hearing date of November 23, 2009 for the motion to dismiss and motion to strike the Complaint shall be vacated;

2. CCA may answer the FAC within 55 days from the FAC filing date of October 1, 2009;
3. The parties may propound written discovery prior to the FRCP 26(f) conference; and
4. Each party will have 45 days to respond to the first set of requests for production of documents propounded (extended an additional three days for any discovery served by mail pursuant to FRCP 6(d)) by either party.

Dated: October 8, 2009

APPELL HILAIRE BERNARDO LLP

By: /s/ Barry Appell (as authorized on 10/08/09)
Barry Appell
Attorney for Plaintiff
Terry Sandres

Dated: October 8, 2009

GLEASON & FAVOROTE LLP

By: /s/ Richard Y. Chen
Richard Y. Chen
Attorney for Defendants
Corrections Corporation of America, CCA
of Tennessee, LLC and CCA of Tennessee,
Inc.

ORDER

IT IS SO ORDERED.

Dated: November 3, 2009

By: /s/ OLIVER W. WANGER
Oliver W. Wanger, Judge
United States District Court