

1 Barry M. Appell, Esq. State Bar No.: 174324
2 APPELL HILAIRE BERNARDO LLP
3 15233 Ventura Blvd., Suite 420
4 Sherman Oaks, CA 91403
(818) 788-2300
Fax: (818) 788-2464
E-Mail: barry@ahblegal.com

5 Attorney for Plaintiff,
6 Terry Sandres

7 PAUL M. GLEASON State Bar No.: 155569
8 RICHARD Y. CHEN State Bar No.: 225392
9 KATHY H. GAO State Bar No.: 259019
GLEASON & FAVAROTE, LLP
10 800 West Sixth Street, Suite 1010
Los Angeles, California 90017
Telephone: (213) 452-0510
Facsimile: (213) 452-0514
11 pgleason@gleasonfavarote.com
rchen@gleasonfavarote.com
12 kgao@gleasonfavarote.com

13 Attorneys for Defendants
14 Corrections Corporation of America and
CCA of Tennessee, LLC

15 **UNITED STATES DISTRICT COURT**
16 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

18 TERRY SANDRES, an individual,

19 Plaintiff,

20 vs.

21 CORRECTIONS CORPORATION OF
22 AMERICA, a Maryland corporation; and
23 Does 1 through 50, inclusive,

24 Defendants.

) Case No. 1:09-cv-01609-OWW-DLB
)

) **STIPULATION AND ORDER TO**
) **EXTEND:**

-) (1) **THE DEADLINE TO COMPLETE**
) **EXPERT DISCOVERY; AND**
) (2) **THE DEADLINE TO FILE ALL**
) **NON-DISPOSITIVE PRE-TRIAL**
) **MOTIONS CONCERNING EXPERT**
) **DISCOVERY AND**
) **CORRESPONDING HEARING**
) **DATE**

) District Judge: Hon. Oliver W. Wanger
) Magistrate: Hon. Jennifer L. Thurston
) Action Filed: July 24, 2009
) Trial Date: August 30, 2011
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STIPULATION TO EXTEND: (1) DEADLINE TO COMPLETE EXPERT DISCOVERY; AND (2)
DEADLINE TO FILE ALL NON-DISPOSITIVE PRE-TRIAL MOTIONS CONCERNING EXPERT
DISCOVERY AND CORRESPONDING HEARING DATE

1 THE PARTIES TO THE ABOVE-CAPTIONED MATTER, by and through their
2 respective attorneys of record, hereby enter into this stipulation to extend: (1) the deadline to
3 complete all expert discovery; and (2) the deadline to file all non-dispositive pre-trial motions
4 concerning expert discovery and the corresponding hearing date based on the following:

5 WHEREAS, the expert discovery cut-off date in this matter is currently April 1, 2011
6 (Declaration of Kathy H. Gao (“Gao Decl.”), ¶ 2); and

7 WHEREAS, the parties have designated retained and non-retained experts in this matter
8 (Gao Decl., ¶ 3); and

9 WHEREAS, plaintiff Terry Sandres (“Plaintiff”) has designated Dr. Joseph Valentino as a
10 non-retained expert (Gao Decl., ¶ 4); and

11 WHEREAS, Plaintiff has agreed not to de-designate Dr. Valentino as a non-retained expert
12 (Gao Decl., ¶ 5); and

13 WHEREAS, counsel for the parties have agreed to private mediation with Steve Serratore
14 in this matter on April 14, 2011 – the earliest time that the parties and the mediator are all available
15 for mediation (Gao Decl., ¶ 6); and

16 WHEREAS, Dr. Valentino’s deposition was initially set for March 25, 2011, at a rate of
17 \$750.00 per hour (Gao Decl., ¶ 7); and

18 WHEREAS, the parties are currently working with counsel for Dr. Valentino on receiving
19 Plaintiff’s complete medical records prior to Dr. Valentino’s deposition (Gao Decl., ¶ 8); and

20 WHEREAS, to complete expert discovery, the parties anticipate, among other things,
21 Plaintiff submitting to an independent mental examination and taking depositions of each party’s
22 experts (Gao Decl., ¶ 9); and

23 WHEREAS, to avoid the anticipated costs of Plaintiff’s mental examination and the
24 depositions of both retained and non-retained experts, the parties believe that it is in their best
25 interest, as well as in the preservation of their financial resources, that Plaintiff’s independent
26 mental examination and expert depositions occur after the parties’ mediation on April 14, 2011
27 (Gao Decl., ¶ 10); and
28

1 WHEREAS, the parties have met and conferred and believe it is in their best interest to
2 extend: (1) the deadline to complete expert discovery to May 13, 2011; and (2) the deadline to file
3 all non-dispositive pre-trial motions concerning expert discovery to May 20, 2011, and the date to
4 have such motions heard by the Court to June 17, 2011 (Gao Decl., ¶ 11).

5 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED and requested by
6 the parties through their respective attorneys of record that this Court order as follows:

- 7 1. That the deadline to complete all expert discovery is continued to May 13, 2011;
8 and
- 9 2. That the deadline to file all non-dispositive pre-trial motions concerning expert
10 discovery is continued to May 20, 2011; and
- 11 3. That the date to have all non-dispositive pre-trial motions concerning expert
12 discovery heard by the Court is continued to June 17, 2011.

13 IT IS SO STIPULATED.

14 Dated: March 22, 2011

APPELL HILAIRE BERNARDO LLP

15 /s/ Barry M. Appell
16 (As authorized on 3/21/11)

17 By: _____
18 Barry M. Appell
Attorneys for Plaintiff Terry Sandres

19 Dated: March 22, 2011

GLEASON & FAVOROTE LLP

20 /s/ Kathy H. Gao

21 By: _____
22 Kathy H. Gao
23 Attorneys for Defendants
24 Corrections Corporation of America and CCA
of Tennessee, LLC

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IT IS SO ORDERED.

Dated: March 23, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE