

1 Anthony N. DeMaria, # 177894
McCormick, Barstow, Sheppard,
2 Wayte & Carruth LLP
P.O. Box 28912
3 5 River Park Place East
Fresno, CA 93720-1501
4 Telephone: (559) 433-1300
Facsimile: (559) 433-2300

(SPACE BELOW FOR FILING STAMP ONLY)

5 Attorneys for Defendant
6 JC PENNEY CORPORATION, INC, (Incorrectly sued
herein as "JCPENNEY")
7

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10 FRESNO DIVISION

11
12 MELORY CASTILLO,
13 Plaintiff,
14 v.
15 JCPENNEY, and DOES 1 to 20,
16 Defendant.

Case No. 1:09-CV-01899-OWW-JLT

**STIPULATION AND ORDER FOR
CONTINUANCE OF EXPERT
DISCLOSURE AND DISCOVERY DATES**

17
18 Plaintiff MELORY CASTILLO, by and through her attorney of record Craig Johnson of
19 the Law Office of Craig E Johnson, and Defendant JC PENNEY CORPORATION, INC,
20 (Incorrectly sued herein as "JCPENNEY"), by and through their counsel of record Anthony N.
21 DeMaria of McCormick, Barstow, Sheppard, Wayte and Carruth LLP, agree and stipulate as
22 follows,

- 23 1. WHEREAS, pursuant to the Court's March 11, 2010 Scheduling Conference Order,
24 expert disclosures are presently due September 15, 2010, and discovery is scheduled to
25 close November 15, 2010;
26 2. WHEREAS, the parties are continuing to actively engage in settlement negotiations and
27 discussions in this matter, and intend to continue to engage in settlement negotiations and
28 alternative dispute mechanisms in an attempt to resolve this matter without the assistance

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

of the court;

3. WHEREAS, based on the foregoing, and in the interest of economy and fairness, good cause exists to continue the date for expert disclosures, and discovery, and all dates associated therewith, for thirty (30) days in order to allow the parties an opportunity to continue to engage in settlement discussions in an effort to resolve this matter short of trial;

4. IT IS THEREFORE STIPULATED AND AGREED by, between and among the parties, and their attorneys of record, that expert disclosures, currently due September 15, 2010, and discovery, currently scheduled to close November 15, 2010, and all dates associated therewith, be continued to for thirty (30) days.

IT IS SO STIPULATED.

Dated: September 15, 2010

THE BECKER LAW FIRM

By: /s/ Craig Johnson
Craig Johnson
Attorneys for Plaintiff
MELORY CASTILLO

Dated: September 15, 2010

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

By: /s/ Marisa Balch (for Anthony DeMaria)
Anthony N. DeMaria
Attorneys for Defendants
MCSWAIN UNION ELEMENTARY
SCHOOL DISTRICT; TERRIE ROHRER;
C.W. SMITH, and MARTHA
HERNANDEZ

NO FURTHER CONTINUANCES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO ORDERED.

Dated: September 16, 2010

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE