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8 NATIONAL RAILROAD PASSENGER  
CORPORATION (AMTRAK)

10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA—FRESNO DIVISION

13 CHARLES STINES; JANET R. STINES

14 Plaintiffs,

15 vs.

16 "AMTRAK" aka NATIONAL  
17 RAILROAD PASSENGER  
CORPORATION and DOES 1  
18 THROUGH 100 INCLUSIVE

19 Defendants.

Case No. 1:13-CV-00522-LJO-MJS

**STIPULATION AND ORDER TO  
CONTINUE THE TRIAL DATE AND  
EXTEND DISCOVERY AND MOTION  
DEADLINES**

20 Pursuant to the parties' status conference before Magistrate Judge Michael J. Seng on  
21 April 10, 2014, the parties to this action, by and through their respective counsel, hereby stipulate  
22 to continue the trial date and extend the deadlines set by the Court in its Order Granting the  
23 Parties' Stipulation to Extend Discovery Deadlines and Dispositive Motion Deadlines, dated  
24 February 19, 2014. The parties stipulate to the following:

25 1. The trial date shall be continued from September 16, 2014 to **December 8, 2014**,  
26 provided such date is agreeable to the Court.

27 2. The deadline to complete non-expert discovery in compliance with Rule 26 shall

1 be extended from April 15, 2014 to **September 19, 2014**.

2 3. The deadline to serve expert witness disclosures and expert reports in compliance  
3 with Rule 26(a)(2)(B) shall be extended from May 2, 2014 to **September 19, 2014**.

4 4. The deadline to serve rebuttal expert witness disclosures and expert reports shall  
5 be extended to **October 3, 2014**.

6 5. The deadline to complete all expert discovery, including depositions of expert  
7 witnesses shall be extended from June 16, 2014 to **October 24, 2014**.

8 6. The deadline to file, serve, and notice all non-dispositive motions shall be  
9 extended from June 16, 2014 to **October 24, 2014**.

10 Good cause exists for the requested trial continuance and corresponding extension of  
11 discovery and motion deadlines because there was extensive delay in obtaining plaintiff's medical  
12 bills due to the medical provider's policies and procedures. The delay in obtaining plaintiff's  
13 medical records and bills prevented defendant from deposing plaintiff because a review of  
14 plaintiff's medical records and bills prior to and at deposition is essential for the deposition to be  
15 of any value. The parties have finally received plaintiff's medical records and are in the process  
16 of scheduling plaintiff's deposition for a date in July. After plaintiff's deposition, additional time  
17 is necessary to conduct potential follow-up discovery.

18 Further, as a result of not having plaintiff's complete medical file, the parties were forced  
19 to postpone settlement discussions and continue a previously scheduled settlement conference.  
20 The parties would now like to attend a settlement conference with the hope that this matter can be  
21 resolved through settlement and that a trial will not be necessary. Additional time is necessary to  
22 schedule both plaintiff's deposition and a settlement conference so that the parties can engage in  
23 meaningful settlement discussions. Further, the parties ask that the trial and expert discovery  
24 deadlines be extended so that the parties do not need to waste time and resources conducting  
25 discovery that may no longer be necessary if the case is resolved through settlement.

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Considering that trial is currently scheduled to begin in three months and the parties have been restricted from conducting essential discovery and engaging in productive settlement discussions, both parties agree that the requested continuance is necessary. Without the requested continuance, the parties would be severely prejudiced, as they would be unable to adequately prepare for trial and attempt to resolve this matter through settlement, thereby eradicating the need for trial.

Dated: June 30, 2014

DANIEL L. HARRALSON LAW  
CORPORAION

By:           /s/ Daniel L. Harralson            
DANIEL L. HARRALSON  
Attorney for Plaintiffs,  
CHARLES STINES and JANET R.  
STINES

Dated: June 30, 2014

LOMBARDI, LOPER & CONANT, LLP

By:           /s/ Kara Abelson            
KARA ABELSON  
Attorney for Defendant,  
NATIONAL RAILROAD PASSENGER  
CORPORATION

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**ORDER**

WHEREAS, good cause exists for the relief requested herein, the Court hereby makes the foregoing Stipulation the Order of this Court **except** that **trial shall begin at 9:00 AM, December 9, 2014** (instead of December 8, 2014) and a **Pretrial Conference shall be held at 10:00 AM, Friday, October 24, 2014**, both in Courtroom 6, Fresno, California.

IT IS SO ORDERED.

Dated: July 1, 2014

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE