

1 James D. Emerson, No. 042031

2 **EMERSON · SORENSEN · CHURCH**

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5 Attorneys for Defendants, YOUNG'S COMMERCIAL TRANSFER, INC. and  
6 RIGOBERTO FERNANDEZ JIMENEZ, individually and doing business as  
JIMENEZ TRUCKING

7  
8 UNITED STATES DISTRICT COURT

9 EASTERN DIVISION

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11 NATIONAL RAILROAD PASSENGER  
12 CORPORATION,

13 Plaintiff,

14 vs.

15 YOUNG'S COMMERCIAL TRANSFER,  
16 INC., a corporation, and RIGOBERTO  
17 FERNANDEZ JIMENEZ, an individual,  
d/b/a JIMENEZ TRUCKING,

18 Defendants.

Case No. 1:13-CV-01506-AWI-GSA  
(Consolidated with Case No.  
1:13-CV-02085-AWI-GSA)

**AMENDED STIPULATION TO CONTINUE  
TRIAL DATE AND DISCOVERY  
DEADLINES and ORDER THEREON**

COMPLAINT FILED: September 17, 2013

19 CELIA RAMIREZ,

20 Plaintiff,

21 vs.

22 RIGOBERTO FERNANDEZ JIMENEZ,  
23 JIMENEZ TRUCKING, NATIONAL  
24 RAILROAD PASSENGER CORPORATION,  
25 BARBARA NEU, BNSF RAILWAY  
COMPANY, YOUNG'S COMMERCIAL  
TRANSFER, INC., and DOES 1 to 200,  
Inclusive,

26 Defendants.

COMPLAINT FILED: September 18, 2013

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1 The parties have met and conferred regarding discovery and mediation in this  
2 matter. The parties would like to conduct medical discovery, including Plaintiff Celia  
3 Ramirez' deposition, a defense medical examination and depositions of Plaintiff's treating  
4 doctors. After concluding this discovery the parties intend to mediate the Ramirez case.  
5 The continuance of discovery cut-off dates and the trial date would allow this to be  
6 accomplished. The parties believe conducting non-expert discovery in the next month  
7 would be counter-productive to the goal of resolving the case and not the best use of time  
8 and resources.

9 IT IS HEREBY STIPULATED by and between the parties hereto, through their  
10 respective attorneys of record that dates in the Scheduling Order dated September 5, 2014,  
11 be modified as follows:

12 1. The trial date and discovery deadlines be continued to the following dates:

13	Non Expert Discovery Cutoff:	June 5, 2015
14	Expert Disclosure:	July 16, 2015
15	Rebuttal Expert Disclosure:	August 6, 2015
16	Expert Discovery Cutoff:	September 14, 2015
17	Non-dispositive Motion Filing Deadline:	August 4, 2015
18	Dispositive Motion Filing Deadline:	September 8, 2015
19	Pretrial Conference:	December 1, 2015
20		Time: 10:00 a.m.
21		Dept: 2
22	Jury Trial:	January 26, 2016
23		Time: 10:00 a.m.
24		Dept: 2

25 DATED: November 12, 2014 REICH LAW FIRM

26 By /s/ Jeff Reich  
27 Jeff Reich  
28 Attorney for Plaintiff  
CELIA RAMIREZ

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DATED: November 12, 2014      EMERSON · SORENSEN · CHURCH

By /s/ James D. Emerson  
James D. Emerson  
Attorney for Defendants YOUNG'S  
COMMERCIAL TRANSFER, INC. and  
RIGOBERTO FERNANDEZ JIMENEZ,  
individually and dba JIMENEZ TRUCKING

DATED: November 12, 2014      LOMBARDI LOPER & CONANT, LLP

By /s/ B. Clyde Hutchinson  
B.Clyde Hutchinson  
Attorney for Defendants, NATIONAL  
RAILROAD PASSENGER CORPORATION  
aka AMTRAK, BNSF RAILWAY COMPANY  
and BARBARA ANN NEU

1 **ORDER**

2 Based on the parties' foregoing stipulation, the Court modifies the Scheduling Order  
3 dated September 5, 2014. (Doc. 28). The Court has adjusted some of the parties'  
4 proposed dates (see the underlined dates below) to reflect the Court's sequencing and  
5 spacing requirements.

6 Accordingly, discovery deadlines, motion filing deadlines, and trial-related dates are  
7 continued as follows:

8	Non-Expert Discovery Cutoff:	June 5, 2015
9	Expert Disclosure Deadline:	July 16, 2015
10	Rebuttal Expert Disclosure Deadline:	August 6, 2015
11	Expert Discovery Cutoff:	September 14, 2015
12	<u>Non-dispositive Motion Filing Deadline:</u>	<u>October 12, 2015</u>
13	<u>Dispositive Motion Filing Deadline:</u>	<u>November 16, 2015</u>
14	<u>Pretrial Conference:</u>	<u>February 18, 2016</u>
15		Time: 10:00 a.m.
16		Crt. Rm.: 2 (AWI)
17	<u>Jury Trial:</u>	<u>April 19, 2016</u>
18		Time: 8:30 a.m.
19		Crt. Rm.: 2 (AWI)

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22 IT IS SO ORDERED.

23 Dated: November 13, 2014

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE