1		(SPACE BELOW FOR FILING STAMP ONL			
1 2	MARK W. COLEMAN #117306 NUTTALL COLEMAN & DRANDELL				
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4	FAX (559) 485-3852 mcoleman@nuttallcoleman.com				
5	ATTORNEYS FOR Plaintiff, D.L.				
6	ATTORNETS FOR Traintiff, D.D.				
7	IN THE UNITED STATES DISTRICT COUNT				
8	FOR THE EASTERN DISTRICT OF CALIFORNIA				
9		C N 1-14 CV 00024 DAM			
10	D.L.,	Case No: 1:14-CV-00824-BAM			
11	Plaintiff,				
12	v.	APPLICATION AND STIPULATION FOR ORDER CONTINUING			
13	MARGARET VASSILEV, M.D.; RODOLFO VICENTE, M.D.; MARK WISEMAN, M.D.;	DISCOVERY DEADLINES AND ORDER THEREON			
14	PAVEL MUNDL, M.D.; COUNTY OF TULARE; KAWEAH DELTA				
15	HEALTHCARE DISTRICT; SANDRA BOSMAN, M.D.; LORI ANN M. BOKEN,				
16	M.D.; T. PLUNKETT, RNC; D. BRACKETT,				
17	RNC; B. BROWN, RNFA; UNITED STATES OF AMERICA; and Does 10 through 50,				
18					
19	TO: THE HONORABLE MAGISTRATE JUDGE BARBARA A. McAULIFFE:				
20	The parties hereto, by and through their counsel hereby apply to this court for an Order				
21	extending the Discovery Cutoffs in the above-captioned matter.				
22	The reason for this request is that the parties need additional time to conduct discovery,				
23	including depositions.				
24	In early December, counsel for Plaintiff,	D.L., underwent a medical procedure and his			
25	recovery took longer than anticipated, causing him to be in and out throughout the month. Due				
26		-			
27	his absence, unfortunately counsel was unable to	o conduct discovery in this matter.			
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	II **				

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1	Dated: March 28, 2019.		WEISS, MARTIN, SALINAS & HEARST
2	Dated. Water 26, 2017.		WEBS, WARTIN, SALINAS & HEARST
3			/s/ Richard Salinas Richard Salinas, Esq.,
4			Attorneys for Defendant, MARGARET VASSILEV, MD
5	Dated: March 28, 2019.		McCORMICK BARSTOW LLP
6			
7			/s/ Daniel Wainwright Daniel Wainwright, Esq.,
8			Attorneys for Defendants, MARK WISEMAN, M.D,
9			SANDRA BOSMAN, M.D.,
10			LORI BOKEN, M.D.
11	DATED: March 29, 2019		McGREGOR W. SCOTT
12			United States Attorney
13		By:	/s/ Victoria L. Boesch VICTORIA L. BOESCH
14			Assistant United States Attorney Attorneys for the United States
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#### **DECLARATION OF MARK W. COLEMAN**

#### IN SUPPORT OF STIPULATION TO CONTINUE DATES

- I, Mark W. Coleman declare, as follows:
- I am an attorney at law duly licensed to practice in the United States District
   Court in and for the Eastern District of California. I am a partner with the Law Offices of Nuttall
   Coleman & Drandell.
  - 2. I represent Plaintiff, D.L., in the above-captioned matter.
- 3. The parties hereto have stipulated to a Continuance of several deadlines in this matter.
  - 4. A continuance is necessary for several reasons.
- 5. First, on December 6, 2018, I underwent a medical procedure and was expected to return to the office within a day or two. Unfortunately, there were complications and the recovery period last significantly longer than expected, requiring me to be in and out of the office for most of the month of December, and into January.
- 6. Due to my unplanned absence, and pressing business in several other cases, I was unable to conduct discovery in this case as timely as I had hoped.
- 7. As a further hindrance to the discovery process, once I was able to address the matter of conducting discovery in this case, in late-December, the Government was shut down.
- 8. As a result of the shut-down, the attorney for Defendant, United States of America, Victoria L. Boesch, was furloughed from December 22, 2018 through January 28, 2019.
- 9. Due to being furloughed, the United States was unable to participate in discovery, including depositions.
- 10. Based upon the foregoing, I believe that good cause exists to continue the current discovery deadlines.
- The matters stated herein are true of my own knowledge, except as to those matters which are stated upon information and belief and, as to those matters, I believe them to be true.

1	I declare under penalty of perjury under the laws of the state of California that the			
2	foregoing is true and correct, and if called upon, could and would testify competently thereto.			
3	Executed in Fresno, California, on this 28th day of March 2019.			
4	/a/Mark W. Calaman			
5	/s/ Mark W. Coleman MARK W. COLEMAN			
6	Attorney for Plaintiff D.L.			
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IT IS SO ORDERED, good cause having been shown, based on Counse the government shut down, that the discovery deadlines in this case be continued a. Non-expert discovery shall be completed by June 10, 2019; b. Initial Expert disclosures shall be completed by June 21, 2019; c. Supplemental expert disclosure shall be completed by July 5, 2019;			
<ul> <li>a. Non-expert discovery shall be completed by June 10, 2019;</li> <li>b. Initial Expert disclosures shall be completed by June 21, 2019;</li> </ul>	d as follows:		
b. Initial Expert disclosures shall be completed by June 21, 2019;			
6 C Supplemental expert disclosure shall be completed by July 5, 2010.			
c. Supplemental expert disclosure shall be completed by July 5, 2019;			
d. Expert discovery shall be completed by August 2, 2019; and			
e. Dispositive motions shall be filed by August 30, 2019.			
The Pretrial Conference and Trial dates remain unchanged.			
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11 IT IS SO ORDERED.			
12 Dated: March 29, 2019 /s/ Barbara A. McAul	liffe		
13 UNITED STATES MAGISTR	RATE JUDGE		
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