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8
 9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 HIPOLITO M. CHACOAN

12 Plaintiff,

13 vs.

14 DR. ROHRER, et al.

15 Defendants.
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Case No. CIV.S-05-2276 FCD GGH P

**STIPULATION AND ORDER TO EXTEND
 BY TWO COURT DAYS THE DEADLINE
 FOR FILING JOINT PRETRIAL
 CONFERENCE STATEMENT**

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 18 The parties stipulate to extend the deadline for filing the parties' Joint Pretrial Conference
 19 Statement by two court days – from Friday, January 8, 2010 until Tuesday, January 12, 2010.
 20 Pursuant to Local Rule 144(a), counsel request that the Court enter an order approving this stipulation
 21 extending time for the following reasons:

- 22 1. This matter is currently set for a final pretrial conference on January 15, 2010 at 2:00 p.m.
- 23 2. Plaintiff filed a separate pretrial statement on December 31, 2009.
- 24 3. Local Rule 281(a)(2) requires the filing of a joint statement by January 8, 2010. Counsel
 25 have been advised by the Court's deputy that defendants need not file separate pretrial
 26 statements.

- 1 4. Since Plaintiff filed his separate pretrial statement, one of the defense counsel (Mr. Pass) has
2 been out of the office, initially on vacation, but recently due to illness. Thus, until today he
3 has not been available to prepare a joint statement.
- 4 5. One of the Plaintiff's counsel (Mr. Sangster) and one defense counsel (Mr. Pass) will be out
5 of the office and unavailable on Thursday and Friday. In the case of Mr. Sangster, his
6 absence is for the purpose of taking two vacation days. In addition, the paralegal working on
7 the case for Plaintiff's counsel (Ms. Yates) has been selected for jury duty, which will render
8 her unavailable on Thursday and Friday this week. Ms Yates would have coordinated
9 assembly and preparation of the joint pretrial statement, if she were available.
- 10 6. All counsel have been working cooperatively on this matter, and it is their collective
11 objective to prepare a meaningful joint pretrial statement that will expedite the Court's
12 pretrial planning process. Due to the absences of counsel and the paralegal for Plaintiff's
13 counsel, it will not be possible to complete that process by Friday without cancellation of a
14 brief vacation (in the case of Mr. Sangster) or rescheduling of other commitments (in the case
15 of Mr. Pass).
- 16 7. Accordingly, counsel request that the deadline for filing the parties' Joint Pretrial Statement
17 be extended by two court days, until noon on January 12, 2010.

18 SO STIPULATED

19 Dated: January 6, 2010

By:

/s/ Edward P. Sangster

Edward P. Sangster
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Rachel R. Davidson
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K&L Gates LLP
Attorneys for Plaintiff

26 Dated: January 6, 2010

By:

/s/ Stephen C. Pass

Stephen C. Pass
Stephen.Pass@doj.ca.gov
Deputy Attorney General

1 Attorneys for Defendants Tessie Rallos, M.D., Daniel
2 Thor, M.D., Ph.D, and Alvaro Traquina, M.D.

3
4 Dated: January 6, 2010

By:


5 /s/ Martha Stringer

6 Kathleen J. Williams
7 kwilliams@williamslegal.net
8 Martha Stringer
9 mstringer@williamslegal.net

10 Williams & Associates
11 Attorneys for Defendant Binoye Naku, M.D.

12 IT IS SO ORDERED. The parties shall file their Joint Pretrial Statement before noon on
13 January 12, 2010.

14 Dated: January 7, 2010

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16 FRANK C. DAMRELL, JR.
17 UNITED STATES DISTRICT JUDGE
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