

1 STANLEY W. LANDFAIR (BAR NO. 160003)
 2 slandfair@mckennalong.com
 3 REBECCA L. WOODSON (BAR NO. 194191)
 4 rwoodson@mckennalong.com
 5 NATASHA SUMNER (BAR NO. 232443)
 6 nsumner@mckennalong.com
 7 McKENNA LONG & ALDRIDGE LLP
 8 101 California Street
 9 41st Floor
 10 San Francisco, CA 94111
 11 Telephone: (415) 267-4000
 12 Facsimile: (415) 267-4198

13 Attorneys for Plaintiff
 14 CHRISTOPHER KYLE PRATER

15 IN THE UNITED STATES DISTRICT COURT
 16 FOR THE EASTERN DISTRICT OF CALIFORNIA
 17 SACRAMENTO DIVISION

18 CHRISTOPHER KYLE PRATER,
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 20 Plaintiffs,
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 22 v.
 23 MTA OLIVER, et al.,
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 25 Defendants.

CASE No. 2:06-CV-01993 KJM-GGH (PC)

**SECOND STIPULATION TO CONTINUE
 JURY TRIAL DATE**

Date: August 22, 2011
 Time: 9:00 a.m.
 Courtroom: 715
 Judge: Kimberly J. Mueller

[E.D. Cal. R. 143 (Fed. R. Civ. P. 83)]

26 The undersigned parties, by and through their respective counsel of record, hereby
 27 stipulate as follows:

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1 STIPULATION

2 WHEREAS, pursuant to an order issued by the above-entitled Court, counsel for Plaintiff
3 CHRISTOPHER KYLE PRATER (“Mr. Prater” or “Plaintiff”) was assigned to the instant matter
4 on June 6, 2011.

5 WHEREAS, counsel of record for Plaintiff, Rebecca Woodson, is unable to continue
6 representation of Plaintiff. Attorney Natasha Sumner filed a designation of counsel on August
7 11, 2011 substituting in for Ms. Woodson. Attorney Pat Malone is currently seeking admittance
8 to the Eastern District, and will substituted in to the above-entitled matter.

9 WHEREAS Plaintiff’s counsel seeks a second continuance to allow sufficient time for
10 Ms. Sumner and Mr. Malone prepare for trial.

11 WHEREAS, Plaintiff’s counsel is attempting to contact Plaintiff’s treating physician, Dr.
12 Renee Lauritzen. Plaintiff’s counsel submitted a signed authorization for records to Dr.
13 Lauritzen’s office on July 18, 2011 and is awaiting receipt of records.

14 WHEREAS, Defense counsel has just recently requested a signed authorization from
15 Plaintiff to obtain CDCR records for use at trial. Plaintiff’s counsel will request signature at the
16 next scheduled meeting with Plaintiff on August 19, 2011. Counsel for both parties request a
17 continuance to insure adequate time to receive and review said records.

18 WHEREAS, counsel for the parties have met and conferred concerning a continuance of
19 the trial date in this matter, and confirmed, to the best of counsel’s knowledge, that witnesses to
20 be called by the parties will be available for trial testimony the week of September 26, 2011, or
21 shortly thereafter.

22 WHEREAS, the parties shall continue their efforts to settle this matter pending trial.
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1 NOW THEREFORE, IN LIGHT OF THE RECITALS ABOVE IT IS HEREBY
2 STIPULATED, by and among the parties through their undersigned counsel, that the present trial
3 date in this matter of August 22, 2011, shall be continued to the week of September 26, 2011, or
4 shortly thereafter to a date specified by the Court. Plaintiff's counsel is unavailable September
5 19-23, 2011.

6 Dated: August 12, 2011

Respectfully submitted,

7 MCKENNA LONG & ALDRIDGE LLP

8 */s/ Natasha v. Sumner*

9 STAN W. LANDFAIR
10 NATASHA V. SUMNER
11 *Attorneys for Plaintiff*
Christopher Kyle Prater

12 Dated: August 12, 2011

Respectfully submitted,

13 KAMALA D. HARRIS
14 Attorney General of California
15 ALBERTO L. GONZALEZ
16 Supervising Deputy Attorney General

17 */s/ John Padrick*

18 JOHN PADRICK
19 Deputy Attorney General
20 *Attorneys for Defendant*
Paramvir Sahota, M.D.

21 Good cause appearing, IT IS ORDERED that the trial date of August 24, 2011, is vacated,
22 and trial is set for September 26, 2011, at 9:00.

23 Dated: August 12, 2011.

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26 UNITED STATES DISTRICT JUDGE
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