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9 Attorneys for Defendant
 CITY OF CHICO

11 **UNITED STATES DISTRICT COURT**
 12 **EASTERN DISTRICT OF CALIFORNIA**

14 ELIZABETH JEAN SIMMONS, as Personal)
 Representative of the Estate of James Edward)
 15 Simmons; DARWIN H. SIMMONS and NINA)
 R. SIMMONS, individually, and as Trustees of)
 16 the Simmons Family Trust,)

17 Plaintiffs,)

18 vs.)

19 CITY OF CHICO; COUNTY OF BUTTE;)
 BALDWIN CONTRACTING COMPANY,)
 20 INC., a California Corporation; VIRGINIA)
 DRAKE, individually, and as Trustee of the)
 21 Drake Revocable Trust,)

22 Defendants.)

No.: 2:07-CV-01129 JAM-GGH

**STIPULATION TO MODIFY THE
 STATUS (PRETRIAL SCHEDULING)
 ORDER RE EXPERT DISCLOSURE
 DATE**

24 The Court's March 4, 2009 Amendment to the Status (Pretrial Scheduling) Order
 25 establishes an expert disclosure date of October 2, 2009, with supplemental disclosure of experts
 26 scheduled to occur by November 20, 2009. Due to the schedule of counsel and the availability of
 27 certain witnesses, counsel for the City of Chico and counsel for Virginia Drake wish to extend the
 28 deadline for the disclosure of expert witness information from October 2, 2009 to October 23,

1 2009. The parties wish to leave all other currently scheduled dates/deadlines unchanged. The only
2 effect of changing the initial expert disclosure date will be to shorten the time between initial and
3 supplemental disclosure from seven weeks to four weeks.

4 It is therefore stipulated among the parties that the deadline for the initial disclosure of
5 expert witnesses may be changed from October 2, 2009 to October 23, 2009. The parties
6 respectfully request that the Court issue an order changing the expert disclosure deadline.

7 IT IS SO STIPULATED.

8 DATED: September 11, 2009

CARR, KENNEDY, PETERSON & FROST

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10 By: /s/ Randall C. Nelson (as authorized on 9/11/09)
11 RANDALL C. NELSON
(SBN: 138298)
Attorneys for Plaintiffs

12
13 DATED: September 11, 2009

GOLDSBERRY, FREEMAN & GUZMAN, LLP

14
15 By: /s/ Francis M. Goldsberry III
16 FRANCIS M. GOLDSBERRY III
(SBN: 178739)
17 Attorneys for Defendant
CITY OF CHICO

18 DATED: September 11, 2009

PORTER SCOTT

19
20 By: /s/ Stephen E. Horan (as authorized on 9/11/09)
21 STEPHEN E. HORAN
(SBN: 125241)
22 Attorneys for Defendant
COUNTY OF BUTTE

23 DATED: September 10, 2009

SCHARFF, BRADY & VINDING

24
25 By: /s/ Michael E. Vinding (as authorized on 9/10/09)
26 MICHAEL E. VINDING
(SBN: 178359)
27 Attorneys for Defendant
BALDWIN CONTRACTING COMPANY, INC.

28 ///

1 DATED: September 9, 2009

MONTAGUE & VIGLIONE

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3

By: /s/ John D. Montague (as authorized on 9/9/09)

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JOHN D. MONTAGUE

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(SBN: 71994)

Attorneys for Defendant

VIRGINIA DRAKE

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ORDER

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IT IS SO ORDERED.

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DATED: 09/11/2009

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/s/ John A. Mendez

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JOHN A. MENDEZ

JUDGE, U.S. DISTRICT COURT

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