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**Randall C. Nelson, State Bar No. 138298
CARR, KENNEDY, PETERSON & FROST
A Law Corporation
420 Redcliff Drive
Redding, California 96002
(530) 222-2100; FAX (530) 222-0504**

Attorneys for Plaintiffs and Counterdefendants

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

ELIZABETH JEAN SIMMONS, as Personal)
Representative of the Estate of James Edward)
Simmons; DARWIN H. SIMMONS and NINA) R.
SIMMONS, individually, and as Trustees) of the
Simmons Family Trust,)
Plaintiffs,)
vs.)
CITY OF CHICO; COUNTY OF BUTTE;)
BALDWIN CONTRACTING COMPANY,)
INC., a California Corporation;)
VIRGINIA DRAKE, individually, and as)
Trustee of the Drake Revocable Trust,)
Defendants.)

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

**STIPULATION AND ORDER TO
MODIFY THE STATUS (PRETRIAL
SCHEDULING) ORDER RE EXPERT
DISCOVERY**

The Court’s October 22, 2009 Amendment to the Status (Pretrial Scheduling) Order establishes a supplemental expert witness disclosure date of November 20, 2009. By stipulation of counsel and Order of this Court pursuant to that stipulation, the deadline for disclosure of supplemental expert witnesses information was extended from November 20, 2009 to February 15, 2010.

The parties have all participated in a timely disclosure of expert witness information.

1 However, it is now clear that additional time beyond February 15, 2010, will be needed in order
2 for all parties to adequately disclose supplemental expert witness information. In order to
3 provide all parties sufficient time to prepare substantive disclosures of supplemental expert
4 witnesses, the parties propose to amend the schedule to provide for the following dates:

5 DISCLOSURE OF SUPPLEMENTAL EXPERTS MARCH 1, 2010

6 The other deadlines (close of expert discovery, hearing on dispositive motions, pretrial
7 conference, and trial) will remain unchanged.

8 IT IS SO STIPULATED.

9 DATED: February 26, 2010. CARR, KENNEDY, PETERSON & FROST

10 By /s/Randall C. Nelson
11 Randall C. Nelson
Attorneys for Plaintiffs

12 DATED: February 26, 2010. GOLDSBERRY, FREEMAN & GUZMAN, LLP

13 By /s/Francis M. Goldsberry, III (as authorized on
14 02/26/10)
Francis M. Goldsberry III
15 Attorneys for Defendant City of Chico

16 DATED: February 26, 2010. PORTER SCOTT

17 By /s/Noah M. Bean (as authorized on 02/26/10)
18 Noah M. Bean
19 Attorneys for Defendant County of Butte

20 DATED: February 26, 2010. SCHARFF, BRADY & VINDING

21 By /s/Michael E. Vinding (as authorized on
22 02/26/10)
23 Michael E. Vinding
Attorneys for Defendant Baldwin Contracting
24 Company, Inc.

25 DATED: February 26, 2010. MONTAGUE & VIGLIONE

26 By /s/John D. Montague (as authorized on
02/26/10)

John D. Montague
Attorneys for Defendant Virginia Drake

ORDER

_____IT IS SO ORDERED.

DATED: 2/26/2010

/s/ John A. Mendez
JUDGE OF THE DISTRICT COURT

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