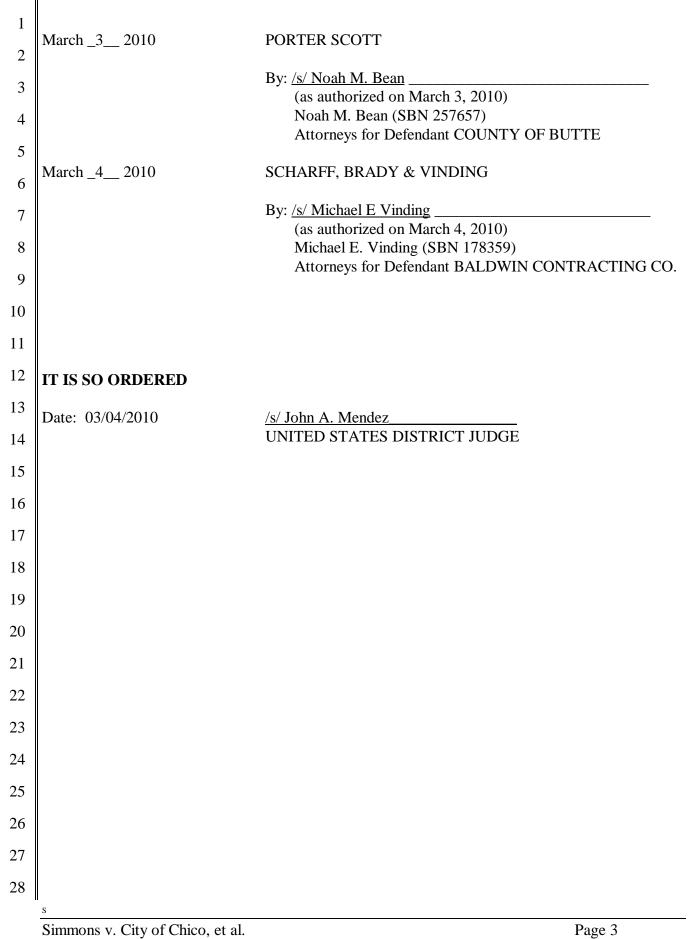
1	John D. Montague, CA State Bar No. 71994 MONTAGUE & VIGLIONE		
2	1500 River Park Drive, Suite 110 Sacramento, California 95815		
3	Telephone: (916) 929-5018 Facsimile: (916) 929-8967		
4	mcvlaw@aol.com		
5	Attorneys for Defendant Virginia L. Drake, individually and		
6	As Trustee of the Drake Revocable Trust		
7			
8	UNITED STATES DISTRICT COURT		
9	EASTERN DISTRICT OF CALIFORNIA		
10			
11	ELIZABETH JEAN SIMMONS, as Personal Representative of the Estate of James Edward	CASE NO. 2:07-CV-01129-JAM-GGH	
12	Simmons; DARWIN H. SIMMONS and NINA R. SIMMONS, individually, and as	STIPULATION TO AMEND THE	
13	Trustee of the Simmons Family Trust,	STATUS (PRETRIAL SCHEDULING) ORDER	
14	Plaintiffs,		
15	v.		
16	CITY OF CHICO; COUNTY OF BUTTE COUNTY; BALDWIN CONTRACTING		
17	COMPANY, INC., a California corporation;		
18	VIRGINIA DRAKE, individually, and as Trustee of the Drake Revocable Trust,		
19	Defendants.		
20			
21	Good cause exists to amend the Status (Pretrial Scheduling) Order in this action. As the		
22	parties have proceeded with discovery, it has become apparent that the volume of expert discovery		
23	that remains to be completed is greater than the parties originally estimated. The parties therefore		
24	request an extension of the scheduling order to allow for the efficient completion of expert		
25	discovery.		
26	Counsel for the parties have met and con	ferred and request that the Court adopt the	
27	Counsel for the parties have met and conferred, and request that the Court adopt the		
28	following schedule:		
	S		

1	Close of Expert Discovery:	July 1, 2010	
2	Dispositive Motions filed by:	September 22, 2010	
3			
4	Dispositive Motions hearing:	October 20, 2010 @ 9:30 a.m.	
5	Joint PreTrial Statement filed by:	November 26, 2010	
6			
7	Final PreTrial Conference:	December 3, 2010 @ 3:00 p.m.	
8	Trial:	January 24, 2011 @ 9:00 a.m.	
9	11101.	January 24, 2011 @ 9.00 a.m.	
10	We respectfully request that the Court issue a new Status (Pretrial Scheduling) Order reflecting these		
11	new dates.		
12			
13	SO STIPULATED.		
14			
15	March _3 2010 CARR	, KENNEDY, PETERSON & FROST	
16	By: /s/ Randall C. Nelson		
	(as authorized on March 3, 2010)		
17	Randall C. Nelson (SBN 138298)		
18	А	ttorneys for Plaintiffs	
19	March _3 2010 MON	TAGUE & VIGLIONE	
20	By: /s/ John D. Montague		
	John D. Montague (SBN 71994)		
21	(as authorized on March 3, 2010)		
22		ttorneys for Defendant Virginia Drake, dividually & as Trustee of the Drake Revocable Trust	
23		5	
24	March _3 2010 GOLD	OSBERRY, FREEMAN & GUZMAN	
25	•	Francis M. Goldsberry III	
		s authorized on March 3, 2010)	
26		Francis M. Goldsberry III (SBN 178739) Attorneys for Defendant CITY OF CHICO	
27	Automoys for Determant err r or erneo		
28			
-	S		



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