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6 Attorneys for Defendants
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 7 and Laraine C. Patching

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

<p>12 CONNIE ARNOLD, 13 Plaintiff, 14 v. 15 VIRGIN STURGEON, INC.; VIRGIN STURGEON, LLC.; BUFFER 16 PROPERTIES, LLC.; LARAIN C. PATCHING; and DOES 1-10, inclusive, 17 Defendants. 18</p>	<p>) CASE NO. 2:07-CV-01600-WBS-DAD)) STIPULATION CONTINUING) SETTLEMENT CONFERENCE AND) REBUTTAL EXPERT DISCLOSURE) AND ORDER THEREON</p>
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19 Plaintiff, CONNIE ARNOLD and Defendants VIRGIN STURGEON, INC.,
 20 BUFFER PROPERTIES, LLC, LARAIN C. PATCHING and VIRGIN STURGEON,
 21 LLC (“Defendants”), by and through their designated counsel, stipulate as follows:

22 1. During the last several months, the parties have been engaging in
 23 substantive settlement negotiations pertaining to the injunctive relief plaintiff seeks in
 24 this case.

25 2. The parties are making significant progress in resolving this case without
 26 the need to seek the Court’s guidance.
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1 3. On or about December 7, 2007, plaintiff disclosed her expert Barry
2 Atwood and produced his report. Prior to that date, Ms. Patching retained expert Kim
3 Blackseth who is well known to this Court. Ordinarily, Mr. Blackseth would have then
4 traveled from his office in Oakland to Sacramento to inspect the facility and prepare a
5 rebuttal report. However, Mr. Blackseth has been hospitalized on several occasions in
6 the last ten weeks, and has been unable to travel. Mr. Atwood and plaintiff's counsel
7 have been aware of Mr. Blackseth's recent health issues.

8 4. Mr. Blackseth is still recuperating, though he is being released from the
9 hospital on February 5, 2008.

10 5. Given the parties' cooperation and active settlement negotiations with
11 substantive progress, it is in the parties' and the Court's interest to continue the
12 February 5, 2008, settlement conference to March 20, 2008, at 10:00 a.m. The parties
13 are confident that the case can either be fully resolved by then, or the issues
14 substantially narrowed, lessening or obviating the need for a Court-supervised
15 settlement conference.

16 6. Moreover, given the parties' settlement negotiations, and Mr. Blackseth's
17 health challenges, the parties desire to continue until March 28, 2008, the disclosure of
18 rebuttal experts and production of reports. Plaintiff may also serve an amended expert
19 report at this time, as discovery is still in its earliest stages and plaintiff's expert's
20 analysis may change depending on pending discovery. Defendants will then have 14
21 days in which to serve a supplemental rebuttal report responding to plaintiff's amended
22 report.

23 7. Concurrent with the filing of this stipulation, the parties are also filing a
24 stipulation for Judge Shubb's review requesting a continuance of the close of discovery
25 from March 28, 2008, to April 28, 2008, to allow the parties additional time to resolve
26 this case without having to engage in what may be unnecessary and expensive
27 discovery.

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IT IS SO STIPULATED.

DATED: February 5, 2008

LAW OFFICES OF PAUL L. REIN

By: /s/ Julie Ostil
PAUL REIN
JULIE OSTIL
Attorney for Plaintiff
Connie Arnold

DATED: February 5, 2008

GREENBERG TRAURIG, LLP

By: /s/ Marc B. Koenigsberg
KATHLEEN E. FINNERTY
MARC B. KOENIGSBERG
Attorneys for Defendants
Virgin Sturgeon, Inc., Buffer
Properties, and Laraine C. Patching

DATED: February 5, 2008

LINDSAY & STONEBARGER

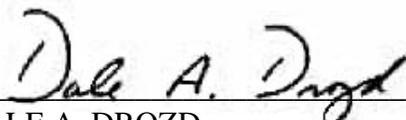
By: /s/ Gene Stonebarger
Gene Stonebarger
Attorney for Defendant
Virgin Sturgeon, LLC

ORDER

Good cause appearing, the request of the parties to continue the Settlement Conference and the disclosure of rebuttal experts and their reports is GRANTED. The Settlement Conference is continued to March 20, 2008, at 10:00 a.m., and the deadline to disclose rebuttal experts and produce their reports, and for plaintiff to produce a revised expert report, is continued to March 28, 2008. Defendants will then have 14 days in which to serve a supplemental rebuttal report responding to plaintiff's revised report.

IT IS SO ORDERED.

DATED: February 5, 2008.


DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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