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10 Attorneys for Defendant  
 11 DANIEL C. DORSEY

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

14 CHRISTOPHER JUDE RICCI,  
 15 Plaintiff(s),

CASE NO: 2:08-CV-00060-FCD-KJM

16 v.

17 DANIEL C. DORSEY,  
 18 Defendant(s).

**SECOND STIPULATION AND ORDER  
 BY COUNSEL AND REQUEST FOR  
 COURT ORDER: (1)AMENDING  
 CERTAIN DATES IN THE PREVIOUSLY  
 ISSUED (AND PREVIOUSLY AMENDED)  
 STATUS (PRETRIAL SCHEDULING)  
 ORDER; AND (2) ADDRESSING OTHER  
 DISCOVERY ISSUES**

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20 **IT IS HEREBY STIPULATED** by and between the parties to this action, Defendant,  
 21 DANIEL C. DORSEY, represented by Jerrald K. Pickering, II, of the Pickering Law Corporation;  
 22 and Plaintiff, CHRISTOPHER JUDE RICCI, represented by William M. Duncan, as follows:

23 **RECITALS**

- 24 A. The court previously issued its Amended Status (Pretrial Scheduling) Order setting
- 25 forth certain dates including discovery cutoff and expert witness disclosure dates;
- 26 B. Counsel for the parties have already conducted and completed most discovery,
- 27 including but not limited to, written discovery, investigation, and depositions,
- 28 including depositions in the State of Oregon;

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- 1 C. Counsel and the parties wish to conduct a mediation of this case before completing  
2 final discovery, as counsel believes that there is a possibility that the case will settle  
3 at mediation, said mediation to take place in May 2009;
- 4 D. Counsel for defendant wishes to complete certain discovery of plaintiff's expert  
5 economist witness before attempting a mediation, and plaintiff and counsel agree to  
6 such informal discovery as set forth below;
- 7 E. Counsel are considering using either Sacramento attorney, Michael D. Schoenfeld,  
8 or retired judge, Raul A. Ramirez;
- 9 F. Counsel wish to extend deadlines within which to complete final non-expert and  
10 expert discovery, but **do not** wish to extend other dates as presently provided for in  
11 the current order;
- 12 G. Counsel, by way of this stipulation, hereby ask the court to approve this stipulation  
13 and modify its previously issued Amended Status (Pretrial Scheduling) Order as  
14 provided below; and
- 15 H. Counsel wish and ask the court to keep set the presently scheduled Further Pretrial  
16 Conference and trial dates of October 30, 2009 and January 12, 2010.

17 **THEREFORE IT IS STIPULATED** by and between the parties, by and through counsel,  
18 as follows:

19 **Deadline Dates**

- 20 1. The court's previously issued Amended Status (Pretrial Scheduling) Order is  
21 amended as follows;
- 22 2. Plaintiff and plaintiff's counsel will informally provide to defense counsel the  
23 report by plaintiff's economist (damage) expert by April 17, 2009, who will then be deposed on  
24 April 30, 2009 before the mediation;
- 25 3. Non-expert discovery cutoff date presently set for April 3, 2009, is hereby extended  
26 June 19, 2009;
- 27 4. Expert witness disclosure date presently set for April 17, 2009 is hereby extended  
28 to June 26, 2009;



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c. Plaintiff reserves the right to seek an independent medical examination of defendant and cross-claimant and to depose defendant and cross-claimant's treating physician.

**APPROVED AS TO FORM AND CONTENT:**

DATED: \_\_\_\_\_ PICKERING LAW CORPORATION

/S/ Jerrald K. Pickering, II  
JERRALD K. PICKERING, II  
Attorneys for Defendant  
DANIEL C. DORSEY

DATED: \_\_\_\_\_ LAW OFFICES OF WILLIAM M. DUNCAN

/S/ William M. Duncan  
WILLIAM M. DUNCAN  
Attorneys for Plaintiff  
CHRISTOPHER JUDE RICCI

**IT IS SO ORDERED.**

DATED: April 3, 2009

  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE