

1 Ross Bozarth (Bar No.: 179171)  
 2 Guenard & Bozarth, LLP  
 3 8830 Elk Grove Blvd.  
 4 Elk Grove, CA 95624  
 5 Phone: (916) 714-7672  
 6 Fax: (916) 714-9031  
 7 Email: [rbozarth@gblegal.com](mailto:rbozarth@gblegal.com)

8 Richard H. Friedman (Bar No.: 221622)  
 9 Kenneth R. Friedman, *Pro Hac Vice*  
 10 William S. Cummings, *Pro Hac Vice*  
 11 Henry G. Jones, *Pro Hac Vice*  
 12 Friedman | Rubin  
 13 1126 Highland Ave.  
 14 Bremerton, WA 98337  
 15 Phone: (360) 782-4300  
 16 Fax: (360) 782-4358  
 17 Email: [rfriedman@friedmanrubin.com](mailto:rfriedman@friedmanrubin.com)  
 18 [kfriedman@friedmanrubin.com](mailto:kfriedman@friedmanrubin.com)  
 19 [wcummings@friedmanrubin.com](mailto:wcummings@friedmanrubin.com)  
 20 [hjones@friedmanrubin.com](mailto:hjones@friedmanrubin.com)

21 Don Bauermeister, *Pro Hac Vice*  
 22 Burke & Bauermeister  
 23 921 W. 6th Avenue, Suite 250  
 24 Anchorage, AK 99501  
 25 Phone: (907) 688-4088  
 26 Fax: (907) 277-6111  
 27 Email: [dcblaw@alaska.com](mailto:dcblaw@alaska.com)

28 *Attorneys for Plaintiffs*

Scott M. Sarason, *Pro Hac Vice*  
 Christina M. Paul, *Pro Hac Vice*  
 Rumberger, Kirk & Caldwell, P.A.  
 80 S.W. 8th Street  
 Suite 3000  
 Miami, FL 33130  
 Phone: (305) 358-5577  
 Fax: (305) 371-7580  
 Email: [ssarason@rumberger.com](mailto:ssarason@rumberger.com)  
[cpaul@rumberger.com](mailto:cpaul@rumberger.com)

William O. Martin, Jr. (Bar No. 135399)  
 R. Bryan Martin (Bar No. 221684)  
 Roxanne Irani (Bar No. 239457)  
 HAIGHT BROWN & BONESTEEL LLP  
 6080 Center Driver, Suite 800  
 Los Angeles, CA 90045-1574  
 Telephone: (310) 215-7100  
 Facsimile: (310) 215-7300  
 Email: [wmartin@hbblaw.com](mailto:wmartin@hbblaw.com)  
[bmartin@hbblaw.com](mailto:bmartin@hbblaw.com)  
[rirani@hbblaw.com](mailto:rirani@hbblaw.com)

*Attorneys for Defendants*

UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA  
 SACRAMENTO DIVISION

NICOLE ALFANO and MICHAEL )  
 23 ALFANO, )  
 24 ) Plaintiffs, )  
 25 vs. )  
 26 BRP Inc. and BRP US Inc., and DOES 1 )  
 27 through 50 inclusive, )  
 28 Defendants. )

Case No. 2:08-CV-01704-JAM-DAD  
**FURTHER STIPULATION TO AMEND  
 PRE-TRIAL SCHEDULING ORDER AND  
 ORDER MODIFYING PRETRIAL  
 SCHEDULING ORDER**  
 Judge: Hon. John A. Mendez  
 Complaint Filed: July 23, 2008

1 WHEREAS Plaintiffs and Defendants have agreed to stipulate to the continuance of the  
2 completion of certain non-expert and expert discovery deadlines; and

3 WHEREAS no party will be prejudiced as the result of such agreement;

4 NOW THEREFORE Plaintiffs and Defendants, by and through their respective attorneys of  
5 record, jointly request that the Court modify the Pretrial Scheduling Order as follows:

6 Written Discovery Cut Off	June 30, 2010
7 Completion of Non-Expert Discovery as 8 identified below	July 23, 2010
9 Completion of Expert Discovery as identified 10 below	July 23, 2010
11 Joint Pre-Trial Statement Due	July 30, 2010
12 Pre-Trial Conference	August 6, 2010 at 2:00 p.m.
13 Trial Brief Due	September 6, 2010
14 Trial	September 20, 2010 at 9:00 a.m.

15 The parties agree to extend the deadline for the completion of expert discovery to July 23,  
16 2010 for the following depositions only:

- 17 1. Deposition of Plaintiffs' expert, Richard Thomas Gill, Ph.D.;
- 18 2. Deposition of Plaintiffs' expert, Michael D. Freeman, Ph.D., M.P.H.;
- 19 3. Deposition of Defendants' expert, Kevin Breen, P.E.;
- 20 4. Deposition of ESI employee, Jennifer L. Krupa;
- 21 5. Deposition of Defendants' expert Elizabeth Raphael, M.D.;
- 22 6. Deposition of Defendants' expert Sharon Gregorcyk, M.D.; and
- 23 7. Deposition of Defendants' expert Robert Taylor, P.E.

24 Additionally, the parties have multiple discovery disputes pending before the magistrate  
25 judge set for hearing on June 25, 2010. Should the court allow such discovery to take place, then  
26 the parties agree to extend the deadline for the completion of non-expert discovery to July 23,  
27 2010 for the following depositions only:

- 1           1.       30(b)(6) deposition of BRP witness regarding Joint Defense Agreement and PWC  
2 industry exchange of information;  
3           2.       30(b)(1) deposition of BRP's CFO;  
4           3.       30(b)(6) deposition of BRP witness regarding letter to owners regarding updated  
5 safety video; and  
6           4.       Depositions of Dr. Stephen L. Young, Dr. Timothy Rhoades and Elaine  
7 Wisniewski, employees of BRP's expert and fact witness, Dr. Paul Frantz.

8  
9 Dated: June 23, 2010

FRIEDMAN | RUBIN

10  
11 By:           /s/ Kenneth R. Freidman  
12       Kenneth R. Freidman  
13       Attorneys for *Plaintiffs*

14 Dated: June 23, 2010

HAIGHT BROWN & BONESTEEL LLP

15  
16 By:           /s/ Roxanne Irani  
17       William O. Martin, Jr.  
18       Roxanne Irani  
19       Attorneys for *Defendants*

20 IT IS SO ORDERED.

21  
22 Dated: June 23, 2010

          /s/ John A. Mendez  
Honorable John A. Mendez  
United States District Judge

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on June 23, 2010, I  
3 electronically filed the forgoing  
4 document with the Clerk of the Court  
5 using the CM/ECF system which will  
6 send notification of such filing to the  
7 following:

8 William O. Martin, Jr. (Bar No. 135399)  
9 HIGHT BROWN & BONESTEEL LLP  
10 6080 Center Drive, Suite 800  
11 Los Angeles, CA 90045-1574

Scott Sarason, *Pro Hac Vice*  
Christina Paul, *Pro Hac Vice*  
RUMBERGER, KIRK & CALDWELL  
Brickell Bayview Centre, Suite 3000  
80 Southwest 8th Street  
Miami, FL 33130-3037

12 Ross Bozarth (Bar No.: 179171)  
13 Guenard & Bozarth, LLP  
14 8830 Elk Grove Blvd.  
15 Elk Grove, CA 95624

16 Richard H. Friedman (Bar No.: 221622)  
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20 Friedman | Rubin  
21 1126 Highland Ave.  
22 Bremerton, WA 98337

23 Don Bauermeister, *Pro Hac Vice*  
24 Burke & Bauermeister  
25 921 W. 6th Avenue, Suite 250  
26 Anchorage, AK 99501

27 /s/ Dana C. Watkins  
28 Dana C. Watkins