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 10 SAVE MART SUPERMARKETS
 (successor in interest to ALBERTSONS INC.
 11 and ALBERTSONS LLC)

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

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 15 ANDREA VAN SCOY, LYNDA AZEVEDO,
 16 DIANA MURDOCK, CHRISTINA
 17 CARNES, MINA JO GUERRERO,
 18 MIRACLE JOHNSON, ROSANNE
 LAZUKA, PATRICIA LOGAN, TERESA
 LYON, THERESA ORTH, AND MARA
 GRACE SMITH,

19 Plaintiff,

20 v.

21 NEW ALBERTSON’S, INC.,
 22 ALBERTSON’S, INC., SAVE-MART
 SUPERMARKETS, INC., LUCKY’S INC.;
 and DOES 1 through 25 inclusive,

23 Defendant.
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CASE NO. 2:08-cv-02237-MCE-DAD

**JOINT STIPULATION AND REQUEST
 TO MODIFY PRE-TRIAL SCHEDULING
 ORDER; ORDER THEREON**

25 The parties hereby jointly submit the following stipulation and request to modify certain
 26 portions of the Court’s pre-trial scheduling order dated April 21, 2009:

27 WHEREAS Plaintiff’s counsel, Jill Barwick, was recently notified that her father is
 28 gravely and terminally ill;

1 WHEREAS Plaintiff's counsel is a sole practitioner and needs to take some time off to
2 care for her father and to administer his estate; that the day-to-day demands combined with the
3 uncertainty of his final day, other than it being "imminent," have limited counsel's availability to
4 participate in discovery during this time period.

5 WHEREAS the parties in this matter have accordingly agreed to place discovery on hold
6 in this matter until February 1, 2010;

7 WHEREAS the discovery cutoff date in this matter is currently set for April 14, 2010, the
8 expert discovery deadline is set for June 14, 2010, and the deadline for motions for summary
9 judgment is set for August 13, 2010. The parties jointly respectfully request that these dates be
10 continued for approximately four months. The parties do not request a continuance of the pre-
11 trial conference, trial date, or deadline for evidentiary and procedural motions, but consent to a
12 continuation of those dates if the Court believes such is necessary.

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15 DATED: December 23, 2009

Respectfully submitted,
BARWICK LAW FIRM

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19 DATED: December 23, 2009

By: /s/
Jill E. Barwick
Attorneys for Plaintiffs

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EPSTEIN BECKER & GREEN, P.C.

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By: /s/
Steven R. Blackburn
Matthew A. Goodin
Attorneys for Defendant
SAVE MART SUPERMARKETS

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ORDER

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3 Upon reviewing the parties' Stipulation and request to modify pre-trial scheduling order,
4 and good cause appearing therefor, the Court hereby grants the parties' request and modifies the
5 current pre-trial scheduling order as follows:


6 The current discovery cutoff date of April 14, 2010 is vacated. The new discovery cutoff
7 date is August 2, 2010.

8 The current expert discovery date of June 14, 2010 is vacated. The new expert discovery
9 cutoff date is September 8, 2010.

10 The current deadline for hearings on motions for summary judgment of August 13, 2010
11 is vacated. The new deadline for hearings on motions for summary judgment is November 1,
12 2010.

13 All other dates in the Court's pre-trial scheduling order of April 21, 2009 remain
14 unchanged.

15 **DATED: February 10, 2010**

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18 MORRISON C. ENGLAND, JR.
19 UNITED STATES DISTRICT JUDGE
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