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Attorneys For Plaintiff
 E.B. KEYES,

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

E.B. KEYES,

Plaintiff,

vs.

FEDEX GROUND PACKAGING SYSTEMS,
 INC., GENERAL SERVICES
 ADMINISTRATION, CHRISTINE COLEY,
 an individual; and DOES 1 through 10,

Defendant

Case No.: 2:09-cv-01297 JAM EFB

JOINT STIPULATION AND ORDER TO
 MODIFY STATUS (PRE-TRIAL)
 SCHEDULING ORDER

Pursuant to Civ. L.R. 7-12, the parties to the above-captioned action, by and through their undersigned counsel of record, hereby request that this Court approve the following Stipulation to modify the Status (Pre-trial) Scheduling Order and Trial Date so that the parties may complete percipient and expert discovery, and adjudicate dispositive motions.

IT IS HEREBY STIPULATED:

	CURRENT DATE	NEW DATE
Close of Discovery:	7/2/10	10/1/10

1	Last day for Plaintiff's Expert Disclosure	4/26/10	8/13/10
2	Last Day for Defendant's Expert Disclosure	5/26/10	9/10/10
3	Last Day to File Dispositive Motions	8/4/10	11/3/10
4	Last Day to Hear Dispositive Motions	10/1/10	12/8/10 at 9:30 a.m.
5	Pre-trial Conference	10/15/2010	1/28/11 at 3:00 p.m.
6	Last Day to File Join Pre-Trial Statement	10/8/10	3/21/11
7	Trial Date	12/6/10	3/14/11 at 9:00am

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9 **GOOD CAUSE FOR THIS REQUESTED ORDER EXISTS FOR THE**

10 **FOLLOWING REASONS:**

11 1. Plaintiff's spent a considerable amount of time considering and examining

12 Defendant United States of America, General Services Administration and Chris Coley's Motion

13 to Dismiss that was subsequently granted on March 15, 2010. During this time the parties did

14 not engage in any discovery. As of today Plaintiff has propounded an initial set of written

15 discovery on Defendant Fed Ex, including Special Interrogatories, Requests for Production of

16 Documents, and Requests for Admissions. Plaintiff anticipates filing a motion for leave to amend

17 its pleading to name Kelly Services as a Defendant. Kelly Services held a subcontract with

18 Defendant FedEx at their GSA Worksite. Once a named Defendant, Plaintiff anticipates the need

19 for further and more extensive written discovery as well as depositions of numerous persons

20 including: Christine Coley (GSA); Angela Acmoody (FedEx Ground Senior Manager); Ryan

21 Johnson (Kelly Services Supervisor); James Gorman (GSA Facility Manager) Kevin Carter

22 (Sharpe Depot Security Guard) as well as those persons most knowledgeable as to the

23 subcontract between Kelly Services and Fed Ex. The Parties have continued to successfully

24 work cooperatively through all discovery matters and have at no time resorted to this Court for

25 resolution of the same.

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2. The parties believe that with the requested modification to the case management, percipient and expert discovery as well as the trial dates can be completed without causing undue burden to the witnesses. Without the requested modifications, on the other hand, the parties believe there will be significant burden imposed upon the parties, witnesses and their counsel in an effort to comply with the current case management dates.

3. Both Parties have agreed to mediation. However, the requested modifications will
Allow the parties access to further discovery that will only assist in any future mediation efforts.

4. No party shall be prejudiced by this Order where the parties have stipulated to the new dates.

IT IS SO STIPULATED:

LAW OFFICES OF NEVIN & ABSALOM

Dated: June 3, 2010

/S/ Kenneth C. Absalom
Kenneth C. Absalom
Attorneys for Plaintiff

FEDEX GROUND PACKAGE SYSTEM, INC.

Dated: June 2, 2010

/S/ Benjamin J. Ferron
Benjamin J. Ferron
Attorneys for Defendant

**PURSUANT TO STIPULATION AND GOOD CAUSE OTHERWISE
APPEARING, THE COURT SETS THE FOLLOWING PRE-TRIAL SCHEDULING
DATES IN THIS MATTER:**

Close of Discovery:	10/1/10
Last day for Plaintiff's Expert Disclosure	8/13/10
Last Day for Defendant's Expert Disclosure	9/10/10
Last Day to File Dispositive Motions	11/3/10
Last Day to Hear Dispositive Motions	12/8/10 at 9:30 a.m.
Pre-trial Conference	1/28/11 at 3:00 p.m.
Last Day to File Join Pre-Trial Statement	3/21/11
Trial Date	3/14/11 at 9:00am

IT IS SO ORDERED:

Dated: June 3, 2010

/s/ John A. Mendez
HON. JOHN A. MENDEZ
United States District Court For the
Eastern District of California