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7 **UNITED STATES DISTRICT COURT**
 8 **EASTERN DISTRICT OF CALIFORNIA - SACRAMENTO**

11 WILLIAM BROCKLEY, TINA) Case No.: 2:09-CV-01437-GEB-EFB
12 BROCKLEY,)
13 Plaintiffs,) [Assigned to Judge Garland E. Burrell, Jr.
14 vs.) for all purposes]
15 CLAUDE McWHORTER,) [PROPOSED] JOINT STIPULATION
16 et al.,) SEEKING AMENDMENT OF CASE
17 Defendants.) RELATED DISCOVERY DEADLINES;
) AND ORDER THEREON

18
 19 On Account of the parties' willingness and intent to pursue
 20 and complete a scheduled private mediation with Judge Richard L.
 21 Gilbert on April 12, 2011 (first available date), the parties
 22 jointly seek the necessary and unavoidable further continuation
 23 of the discovery and expert related deadlines previously ordered
 24 by the Court by approximately thirty (30) days to allow for the
 25 pursuit of private mediation, and if necessary, time appropriate
 26 extensive discovery. A Further Amended Joint Status Conference
 27 Report including the proposed amended deadlines has been
 28 attached hereto as Exhibit "A".

1 The previously agreed upon time line presently controlling
2 was premised on the ability of all parties to fully participate
3 in the discovery process and be prepared to complete mediation
4 in January 2011. Due to circumstances beyond the parties'
5 control, this could not and did not occur. The granting of this
6 Stipulation will allow for the parties to aggressively and
7 meaningfully pursue potential resolution prior to incurring
8 substantial costs that would otherwise greatly prejudice the
9 prospect of informal resolution short of trial.

10 Based on the above, the parties jointly and respectively
11 request the Court's approval of this PROPOSED JOINT STIPULATION
12 SEEKING AMENDMENT OF CASE RELATED DISCOVERY DEADLINES and the
13 granting of the continuance of discovery expert deadlines by
14 approximately thirty (30) days. In the alternative, the parties
15 request the scheduling of an appropriate and first available
16 hearing to address their concerns and the request made by way of
17 this filing.

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19 DATED: _____, 2011

WEINBERGER LAW FIRM

20 By:

21 _____
22 Joseph B. Weinberger, Esq.
23 Attorney for Plaintiffs

24 DATED: _____, 2011

LEWIS BRISBOIS BISGAARD &
SMITH, LLP

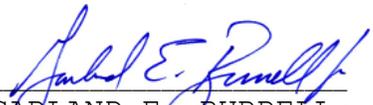
25
26 By:

27 _____
28 Charles C. Coleman, Esq.
Attorney for Defendant:
WENDY'S INTERNATIONAL, INC.

1 [PROPOSED] ORDER

2 Accordingly, the Court considered the basis for the
3 Proposed Joint Stipulation, IT IS HEREBY ORDERED that the
4 discovery and expert deadlines be continued by approximately
5 thirty (30) days, as reflected by way of the parties' Further
6 and Necessary Joint Status Conference Report.
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9 **Date: 3/30/2011**

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11 GARLAND E. BURRELL, JR.
12 United States District Judge
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