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10 Attorney for Plaintiff
11 REBECCA PASTOR

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA
14 SACRAMENTO DIVISION

15 REBECCA PASTOR, an individual

16 Plaintiff,

17 v.

18 THE TJX COMPANIES, INC., a Delaware
19 Corporation, dba MARSHALLS, and DOES 1
through 20, inclusive,

20 Defendants.

Case No.: 2:09-CV-01938-WBS-KJN

**STIPULATION AND JOINT
APPLICATION TO EXTEND
DEADLINE TO DISCLOSE EXPERT
WITNESSES AND PRODUCE
REPORTS; ORDER THEREON**

Complaint Filed: June 16, 2009

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22 Pursuant to Federal Rule of Civil Procedure 16(b)(4), and for good cause shown, Plaintiff
23 REBECCA PASTOR (“Plaintiff”), and Defendant THE TJX COMPANIES, INC. (“Defendant”)
24 through their respective counsel of record, hereby stipulate and jointly request that the Court
25 vacate the present deadlines to disclose expert witnesses, disclose rebuttal experts, and produce
26 reports of June 11, 2010 and July 9, 2010 in paragraph IV of this Court’s Status (Pretrial
27 Scheduling Order) dated November 24, 2009 (the “Order”), and that the Court continue such
28 dates by fourteen days as set forth below. **The requested continuances will have no impact on**

1 **the motion hearing schedule, final pre-trial conference, and trial dates in paragraphs V, VI,**
2 **and VII of the Order.**

3 THE PARTIES HEREBY STIPULATE AS FOLLOWS:

4 WHEREAS Plaintiff seeks to disclose the name of her treating psychiatrist as an expert
5 witness in this matter. However, due to difficulties in obtaining authorization from Plaintiff's
6 health insurer for treatment, Plaintiff only recently was able to arrange an appointment with a
7 qualified physician. Plaintiff's attorney has not yet had the opportunity to interview said
8 physician or confirm his/her availability as an expert. Consequently, good cause exists for
9 continuing the discovery deadlines in paragraph IV of the Order as follows:

10 (1) The deadline of June 11, 2010 to disclose experts and produce reports in
11 accordance with Federal Rule of Civil Procedure 26(a)(2) shall be vacated and
12 continued to June 25, 2010; and

13 (2) The deadline of July 9, 2010 to disclose experts and produce reports for expert
14 testimony intended solely for rebuttal in accordance with Federal Rule of Civil
15 Procedure 26(a)(2) shall be vacated and continued to July 23, 2010.

16 IT IS SO STIPULATED.

17 Dated: June 10, 2010

THE LAW OFFICE OF ANTHONY J. GARAFOLA

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19 By: /s/ Anthony J. Garafola
ANTHONY J. GARAFOLA

20 Attorneys for Plaintiff
21 REBECCA PASTOR

22 Dated: June 10, 2010

JACKSON LEWIS LLP

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25 By: /s/ Jerry J. Deschler Jr.
JERRY J. DESCHLER JR.

26 Attorneys for Defendant
27 THE TJX COMPANIES, INC.
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1 Having reviewed the parties' stipulation, and good cause appearing therefore,

2 IT IS HEREBY ORDERED:

3 (1) The deadline of June 11, 2010 to disclose experts and produce reports in
4 accordance with Federal Rule of Civil Procedure 26(a)(2) shall be vacated and
5 continued to June 25, 2010; and

6 (2) The deadline of July 9, 2010 to disclose experts and produce reports for expert
7 testimony intended solely for rebuttal in accordance with Federal Rule of Civil
8 Procedure 26(a)(2) shall be vacated and continued to July 23, 2010.

9 DATED: June 11, 2010

10 /s/ Kendall J. Newman
11 KENDALL J. NEWMAN
12 United States Magistrate Judge
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