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5 Attorneys for Defendant
 6 **GENIE INDUSTRIES**

7
 8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10
 11 MICHAEL HANSBROUGH and
 SANDY HANSBROUGH,

12 Plaintiffs,

13 v.

14 UNITED RENTALS, UNITED
 15 RENTALS OF CHICO, UNITED
 RENTALS, INC., GENIE
 16 INDUSTRIES, and Does 1-45,
 inclusive,

17 Defendants.
 18

Action No. 2:09-CV-02419 LLK-GGH

STIPULATED REQUEST AND

ORDER

19 Pursuant to stipulation of the parties and Local Rule 6-144 the parties hereby
 20 request that the Court continue the expert designation and report disclosure deadline to
 21 July 30, 2010. The request is made on the basis of the following stipulation:

22 1. Before June 9, 2010, the parties were unable to identify the specific
 23 machine involved in the incident;

24 2. The parties have engaged in written discovery and have taken
 25 depositions to prepare for trial. To date the parties were unable to identify the equipment.

26 3. Within the last several days plaintiff's counsel made contact with a
 27 former employee of plaintiff's employer who revealed that he was able to identify the
 28 specific equipment involved. As a result of this information, which plaintiffs shared, the

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1 parties are able to identify the equipment with particularity and now seek the opportunity
2 to inspect that equipment.

3 4. All parties agree that it is important for their experts to have the
4 opportunity to observe and inspect the equipment prior to completing their analysis and
5 submitting their reports. The inspection is also important to trial preparation and
6 evaluation of settlement possibilities. The inspection and evaluation process cannot take
7 place within the time remaining before the expert disclosure deadline.

8 5. Continuing the date of the expert disclosure deadline will not affect
9 the discovery cut-off date or the pre-trial conference date set by the Court in its Pretrial
10 Scheduling Order. The parties will still disclose experts prior to the litigation status report
11 and the discovery cut-off will not be affected by the requested change.

12 6. All parties stipulate that their trial preparation and experts would be
13 prejudiced by an inability to inspect the equipment and evaluate it before submitting their
14 reports. Accordingly, the parties stipulate and request that the Court extend the expert
15 disclosure deadline to July 30, 2010.

16 Dated: June 14, 2010

CARROLL, BURDICK & McDONOUGH LLP

17 By _____ /s/

Larry B. Panek

18 Attorneys for Defendant
19 GENIE INDUSTRIES

20 Dated: June 14, 2010

PETERS, RUSH, HABIB & MCKENNA

21 By _____ /s/

James P. McKenna

22 Attorneys for Plaintiffs
23 MICHAEL HANSBROUGH and SANDY
24 HANSBROUGH

25 Dated: June 14, 2010

GORDON & REES LLP

26 By _____ /s/

Kathleen M. Rhoads

27 Attorneys for Defendant
28 UNITED RENTALS NORTHWEST, INC.

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[PROPOSED] ORDER

Based on the stipulation of the parties and good cause appearing therefore, the Court extends the deadline for expert disclosure to and including July 30, 2010.

SO ORDERED.

Dated: June 15, 2010


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT