

1 BENJAMIN B. WAGNER
 United States Attorney
 2 E. ROBERT WRIGHT (SBN 51861)
 Assistant United States Attorney
 3 United States Courthouse
 501 "I" Street, Suite 10-100
 4 Sacramento, California 95814
 Telephone: (916) 554-2700
 5 Facsimile: (916) 554-2900

6 Of Counsel:

7 JEFF MOULTON
 Regional Attorney
 8 RACHEL A. BIRKEY
 Attorney
 9 Office of the General Counsel
 United States Department of Agriculture
 10 33 New Montgomery Street, 17th Floor
 San Francisco, California 94105
 11 Telephone: (415) 744-3011
 Facsimile: (415) 744-3170

12 Attorneys for Plaintiff United States of America

13
 14 **UNITED STATES DISTRICT COURT**
 15 **EASTERN DISTRICT OF CALIFORNIA**

16 UNITED STATES OF AMERICA,)	Case No. 2:09-cv-02868-JAM-JFM
)	
17 Plaintiff,)	
)	
18 v.)	STIPULATION FOR ORDER
)	MODIFYING STATUS ORDER
19)	
20 PACIFIC GAS AND ELECTRIC)	
COMPANY, and DAVEY TREE)	
21 SURGERY COMPANY,)	
)	
22 Defendants.)	

23
 24 The parties through counsel hereby stipulate regarding scheduling as follows, including
 25 stipulation for an Order where necessary. The Status Order for this case was filed January 5,
 26 2010 (Doc. 14). The proposed changes would only change the dates for disclosing experts and
 27 for completing discovery. The proposed changes are necessary to allow the parties sufficient
 28 time to allow experts to review factual discovery prior to preparing their expert reports. The

1 proposed changes would not change the dates scheduled for pre-trial conference or trial of this
2 case:

3 1. By stipulation, plaintiff may have until August 11, 2010 to respond to Davey Tree's Request
4 for production of documents, set one and Interrogatories, set one.

5 2. By stipulation for an Order that the following dates set forth in the Status Order are changed
6 as follows:

	CURRENT DATE	NEW DATE
7 Expert Disclosure:	August 16, 2009	October 15, 2010
8 Supplemental Expert Disclosure:	September 6, 2009	November 5, 2010
9 Discovery Completed	October 4, 2010	December 6, 2010

10
11 3. All other scheduled dates in the Status Order of January 5, 2010 remain the same including
12 the trial date of April 11, 2011.

13
14 Respectfully submitted,

15 Dated: July __, 2010

BENJAMIN B. WAGNER
United States Attorney

17 By: /s/ E. Robert Wright
18 E. ROBERT WRIGHT
19 Assistant U.S. Attorney
Attorneys for Plaintiff
United States of America

20 Dated: July __, 2010

CARLSON, CALLADINE & PETERSON LLP

22 By: _____
23 RANDY W. GIMPLE, Esq.
24 A. DAVID BONA, Esq.
Attorneys for Defendant,
DAVEY TREE SURGERY COMPANY

1 Dated: July __, 2010

NIXON PEABODY LLP

2
3 By:

ROBERT M. BLUM, Esq.
HAILEY R. HIBLER, Esq.
Attorneys for Defendant,
DAVEY TREE SURGERY COMPANY

4
5
6 Dated: July __, 2010

**FERRIS & BRITTON,
A PROFESSIONAL CORPORATION**

7
8 By:

MICHAEL R. WEINSTEIN, Esq.
Attorneys for Defendant,
PACIFIC GAS AND ELECTRIC COMPANY

9
10
11
12 **ORDER**

13 Based on the above Stipulation and good cause having been shown,

14 IT IS HEREBY ORDERED that all current Status Order dates remain the same except
15 that the dates for Expert Disclosure, Supplemental Expert Disclosure, and Discovery Completion
16 are modified as set forth in the above Stipulation.

17 IT IS SO ORDERED.

18
19 Dated: July 21, 2010

/s/ John A. Mendez
HON. JOHN A. MENDEZ
U. S. DISTRICT COURT JUDGE