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   THE SALVATION ARMY

7

8   UNITED STATES DISTRICT COURT

9   EASTERN DISTRICT OF CALIFORNIA

10   SACRAMENTO DIVISION

11
   LENORA NORMAN,   )   Case No. 2:09-CV-03270-JAM-GGH
12   )
              Plaintiff,   )
13   )   **STIPULATION AND ORDER FOR
      vs.   )   TRIAL CONTINUANCE AND
14   )   ASSOCIATED DEADLINES**
   THE SALVATION ARMY, a California   )
15 Corporation, doing business as THE SALVATION)
   ARMY ADULT REHABILITATION CENTER and) Judge: Hon. John A. Mendez
16 THE SALVATION ARMY THRIFT STORE;   )   Magistrate Judge: Hon. Gregory G. Hollows
   DOES 1 through 50, inclusive,   )   Date Complaint Filed: October 22, 2009
17   )   Trial Date: April 18, 2011
              Defendants.   )
18   )
)
19
20   The parties herein, through their attorneys of record, hereby agree and stipulate to the following:

21   (1)   Continuing the current trial date of April 18, 2011, to **June 6, 2011**;

22   (2)   Continuing the current pretrial conference date of March 9, 2011, to **April 29, 2011**;

23   (3)   Continuing the current due date of the parties' joint pretrial statement of March 2, 2011,
       to **April 22, 2011**;

24   (4)   Continuing the current deadline of March 14, 2011 to depose retained expert witnesses

25 who were disclosed to render opinions regarding plaintiff's claims under the American With Disabilities

26 Act, California Unruh Act, and California Disabled Persons Act, for fifty (50) days, to **May 3, 2011.**

27 Such retained expert witnesses are Randall S. Stout and Chris Taylor for plaintiff, and Larry Wood for

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STIPULATION AND [PROPOSED] ORDER FOR TRIAL CONTINUANCE AND ASSOCIATED DEADLINES

defendant.

This stipulation and order are being sought because the parties will mediate this matter on March 16, 2011.[1] A mediation session has been confirmed for that date. Accordingly, in hopes that the case will resolve at mediation, and that substantial time and expense may be avoided in the event the case is resolved at mediation, the parties respectfully request the trial continuance and the continuance of the other trial-related deadlines sought herein.

Dated: February _____, 2011.

                                                    LOW, BALL & LYNCH

                                    By____/s/_____
                                        STEVEN D. WERTH
                                        JENNY LI
                                        Attorneys for Defendant
                                        THE SALVATION ARMY

Dated: February _____, 2011.

                                                    ELLIS, LAVOIE, POIRIER, STEINHEIMER,
                                                    & MCGEE, LLP

                                    By___/s/_____
                                        THERESA M. LaVOIE
                                        Attorney for Plaintiff
                                        LENORA NORMAN

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[1]A mediation was previously scheduled for February 14, 2011, but was cancelled due to an unavoidable emergency on the part of the defendant's representative, who had planned to attend the mediation. The parties then rescheduled the mediation to March 16, 2011, which was the earliest date amenable to the calendars of the mediator and all parties and their attorneys and representatives.

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ORDER

Pursuant to the parties' stipulation, and good cause appearing, the Court hereby orders:

(1)   The current trial date of April 18, 2011 is vacated and continued to **June 6, 2011**;

(2)   The current pretrial conference date of March 9, 2011 is vacated and continued to **April**

29, 2011, at 10:00 a.m.;

(3)   The current due date of the parties' joint pretrial statement of March 2, 2011, is vacated

and continued **April 22, 2011**;

(4)   The last day to depose retained experts Randall S. Stout, Chris Taylor, and Larry Wood is

Tuesday, **May 3, 2011.**

IT IS SO ORDERED.

Dated: February 16, 2011

/s/ John A. Mendez

U. S. DISTRICT COURT JUDGE

STIPULATION AND [PROPOSED] ORDER FOR TRIAL CONTINUANCE AND ASSOCIATED DEADLINES