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 Attorney for Plaintiff Capitol Waste, Inc.

6 **IN THE UNITED STATES DISTRICT COURT FOR THE**
 7 **EASTERN DISTRICT OF CALIFORNIA**

9)	
10	CAPITOL WASTE, INC,)	Case No.: 2:10-CV-00866-FCD-EFB
)	
	Plaintiff,)	
11)	
	vs.)	
12)	REQUEST BY STIPULATION FOR ORDER
)	AMENDING FIRST AMENDED PRETRIAL
13	A GREENER GLOBE, aka A GREENER GLOBE))	SCHEDULING (ORDER FILED 8-13-10)
	CORPORATION, aka A GREENER GLOBE, INC. aka))	
14	A GREENER GLOBE, DANIEL G. SHEEHAN, dba A))	ORDER ON STIPULATION
	GREENER GLOBE, JACKLYN C. SHEEHAN, dba A))	
15	GREENER GLOBE; WESTERN HIGHLAND))	
	MORTGAGE FUND 1, LLC; UNITED STATES))	
16	DEPARTMENT OF THE TREASURY INTERNAL))	
	REVENUE SERVICE; NORTHERN CALIFORNIA))	
17	COLLECTION SERVICE, INC.Does 1-200, inclusive,))	
)	
	Defendants)	

18 _____
 19 Plaintiff, by undersigned counsel, submits this request by stipulation to amend Pretrial
 20 Scheduling ordered and filed in this case on August 13, 2010, so as to permit discovery cutoff to
 21 extend until December 31, 2010, due to Plaintiff’s counsel’s ongoing medical issues.

22 STIPULATION

23 WHEREAS Plaintiff’s counsel has suffered an injury to his back for which he is
 24 undergoing diagnosis and treatment (“Medical Condition”); and
 25

1 WHEREAS Plaintiff's counsel's Medical Condition has interfered with his ability to
2 work competently full time on his case load as well as in the instant case, has also resulted in his
3 inability to attend certain noticed depositions to date, and is expected to continue to interfere
4 with Plaintiff's counsel performance of his duties in this case over the short term, and

5 WHEREAS Plaintiff's counsel believes he will be able to complete discovery by
6 December 31, 2010,

7 THE PARTIES HEREBY STIPULATE and agree, so as to accommodate Plaintiff's
8 counsel, that there is good cause to request an extension of discovery cutoff until December 31,
9 2010, and accordingly stipulate, subject to the courts approval, to amend the Pretrial Scheduling
10 in this case to include a discovery cutoff date of December 31, 2010.
11

12 Dated: _____ /s/
13 LAW OFFICES OF ROBB HEWITT
14 Robb Hewitt, Attorney for Capitol Waste. Inc.

15 Dated: _____ /s/
16 WALSH LAW FIRM
17 James R. Walsh, Attorney for Greener Globe,
18 Daniel Sheehan, Jacklyn Sheehan, and Western
19 Mortgage Fund 1, LLC

20 Dated: _____ /s/
21 BENJAMIN B. WAGNER, United States Attorney
22 ADAIR F. BOROUGHS
23 U.S. Department of Justice, Tax Division, Attorneys
24 for The United States of America.

25 IT IS SO ORDERED.

DATED: October 28, 2010



FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE