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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAMERON HOSPITAL ASSOCIATION, a	)	
California Non-Profit	)	2:10-cv-03396-GEB-JFM
Association,	)	
	)	
Plaintiff,	)	<u>ORDER MODIFYING THE STATUS</u>
	)	<u>(PRETRIAL SCHEDULING) ORDER</u>
v.	)	<u>AND DENYING DEFENDANT'S</u>
	)	<u>MOTION TO STRIKE PLAINTIFF'S</u>
STATE FARM MUTUAL AUTOMOBILE	)	<u>UNTIMELY EXPERT REPORTS</u>
INSURANCE COMPANY,	)	
	)	
Defendant.	)	
_____	)	

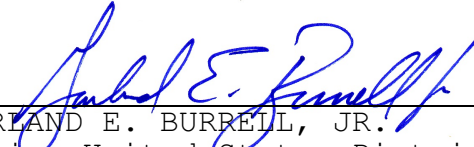
In light of the pending cross-motions for summary judgment and the congested nature of the Court's docket, the final pretrial conference is rescheduled to commence at 2:30 p.m. on February 25, 2013, and the trial is rescheduled to commence at 9:00 a.m. on May 21, 2013.

Further, due to these scheduling changes, Defendant's Motion to Strike Plaintiff's untimely expert reports/declarations (ECF No. 54) is denied. See Lanard Toys Ltd. v. Novelty, Inc., 375 Fed. Appx. 705, 713 (9th Cir. 2010) (stating "a failure [to] timely serve an expert report may be excused if the failure . . . is harmless") (citing Yeti by Molly Ltd. v. Deckers Outdoor Corp., 259 F.3d 1101, 1106 (9th Cir. 2001)).

Defendant shall disclose any contradictory and/or rebuttal experts responsive to Plaintiff's disclosure of experts Brad Reinkie, M.D. and/or Scott Bernasconi on or before October 26, 2012; all expert

1 discovery concerning Brad Reinkie, M.D., Scott Bernasconi, and any  
2 contradictory and/or rebuttal experts disclosed by Defendant as  
3 authorized herein shall be completed by December 26, 2012.

4 Dated: September 25, 2012

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8 GARLAND E. BURRELL, JR.  
9 Senior United States District Judge  
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