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ALTEMUS & WAGNER
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STEWART C. ALTEMUS (SBN 98746)

Attorney for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SACRAMENTO

DENISE MITCHELL,

NO. 2:11-CV-00425-LKK-DAD

Plaintiffs,

vs.

**STIPULATION AND ORDER
CONTINUING THE STATUS
[PRETRIAL SCHEDULING]
CONFERENCE**

BARD ACCESS SYSTEMS;
DOES 1 TO 100
Defendant.

Date: May 2, 2011
Time: 2:00 p.m.
Courtroom: 4
Judge: Lawrence K. Karlton

Plaintiff, DENISE MITCHELL, by and through her attorney, Stewart C. Altemus, and
Defendant, BARD ACCESS SYSTEMS, INC. by and through its attorney, Thomas Frieder,
hereby stipulate and seek Court approval for the following:

STIPULATION

Since the Order Setting the Status (Pretrial Scheduling) Conference dated February 15,
2011, the attorney for the Plaintiff, Stewart C. Altemus, has been diagnosed with tonsil cancer
and has undergone three surgeries since February, 2011. On March 18, 2011 he began intensive
chemotherapy and radiation treatments. His chemotherapy treatments are every Monday from
6:30 a.m. until 3:00 p.m. following by a one hour radiation treatment. From Tuesday through
Friday of each week he has radiation treatments commencing at 8:00 a.m. until approximately
9:00 a.m. These treatments will be on-going through at least May of 2011. Mr. Altemus's
physicians have advised him that he will be unable to work until at least mid-June, 2011 as a
result of his illness and chemotherapy and radiation treatments. Due to Mr. Altemus's illness

1 and his chemotherapy and radiation treatments, he will be unable to participate in the Status
2 Conference presently scheduled herein for May 2, 2011. Therefore, the parties request that the
3 Status Conference be continued to a date in July of 2011 to allow Mr. Altemus to recover from
4 his chemotherapy and radiation treatment. The parties also request that the Status Report which
5 is presently required to be filed on or before April 18, 2011, be filed 14 days prior to the new
6 Status Conference date set by the Court and that initial disclosures are due 7 days prior to the new
7 Status Conference date set by the Court.

8 Dated: April 12, 2011.

ALTEMUS & WAGNER

/s/ Stewart C. Altemus

Stewart C. Altemus

Attorneys for Plaintiff

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11 Dated: April 12, 2011.

HASSARD BONNINGTON

/s/ Thomas M. Frieder

Attorneys for Defendant

ORDER

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15 For good cause and pursuant to the above Stipulation of the parties,

16 IT IS HEREBY ORDERED as follows:

- 17 1. That the Status Conference presently set for May 2, 2011 at 2:00 p.m. be continued to
18 July 25, 2011 at 10:00 a.m.
- 19 2. That the Status Report required pursuant to paragraph 8 of the Order Setting Status
20 (Pretrial Scheduling) Conference be modified to allow filing of the Status Report 14 days
21 preceding the new Status Conference date.
- 22 3. That initial disclosures be due 7 days preceding the new Status Conference date.

23 Dated: April 14, 2011.

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LAWRENCE K. KARLTON

SENIOR JUDGE

UNITED STATES DISTRICT COURT