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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: July 25, 2011
Time: 10:00 a.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 last Stipulation and Order continuing the Status (Pretrial Scheduling)
Conference granted by this Court on April 15, 2011, the attorney for the Plaintiff, Stewart C.
Altemus, diagnosed with tonsil cancer, had been undergoing intensive chemotherapy and
radiation treatments. Mr. Altemus's physicians had expected that he would be able to return to
work in mid to late June following the conclusion of his treatments. However, due to an
unexpected hospitalization in May and the effects of the chemotherapy and radiation treatments,
Mr. Altemus's physicians have now advised him that he will not be able to return to work full
time until the end of July. Accordingly, Mr. Altemus would be unable to participate in the Status
(Pretrial Scheduling) Conference presently scheduled herein for July 25, 2011 and he would be

1 unable to meet and confer and participate in the preparation of the Joint Status Conference
2 Statement due 14 days prior to the hearing.

3 Therefore, the parties request that the Status Conference be continued to a date in October
4 of 2011 to allow Mr. Altemus to recover from his chemotherapy and radiation treatments and to
5 return to his office. The parties also request that the Status Report which is presently required to
6 be filed on or before July 11, 2011, be filed 14 days prior to the new Status Conference date set
7 by the Court and that initial disclosures are due 7 days prior to the new Status Conference date set
8 by the Court.

9 Dated: July 6, 2011.

ALTEMUS & WAGNER

/s/ Stewart C. Altemus

Stewart C. Altemus

Attorneys for Plaintiff

11 Dated: July ____, 2011.

HASSARD BONNINGTON

/s/ Thomas M. Frieder

Attorneys for Defendant

ORDER

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

14 IT IS HEREBY ORDERED as follows:

15 1. That the Status Conference presently set for July 25, 2011 at 10:00 a.m. be continued
16 to October 17, 2011 at 11:30 a.m.

17 2. That the Status Report required pursuant to paragraph 8 of the Order Setting Status
18 (Pretrial Scheduling) Conference be modified to allow filing of the Status Report 14 days
19 preceding the new Status Conference date.

20 3. That initial disclosures be due 7 days preceding the new Status Conference date.

21 Dated: July 14, 2011.

22 

LAWRENCE K. KARLTON

SENIOR JUDGE

UNITED STATES DISTRICT COURT