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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: October 17, 2011
Time: 11:30 am
Courtroom: 4
Judge: Lawrence K. Karlton

Plaintiff, DENISE MITCHELL, by and through her attorney STEWART C. ALTEMUS,
and Defendant, BARD ACCESS SYSTEMS, by and through its attorney THOMAS M.

FRIEDER hereby stipulate as follows:

IT IS HEREBY STIPULATED by and between the parties hereto that the Status [Pretrial
Scheduling] Conference hearing presently scheduled for **October 17, 2011**, be continued to a
date to be set by the Court.

The grounds for the stipulation are as follows:

1. In early February 2011, Plaintiff's attorney, Stewart C. Altemus, was diagnosed with
tonsil cancer and has undergone three surgeries as a result of his cancer. In March of 2011 he
began intensive chemotherapy and radiation treatments which were not completed until the end of
May. During that time he was absent from his office and continues to be absent full time from
his office. Mr. Altemus's physicians originally indicated that he would be able to return to work

1 in mid to late September. However, his physicians have now advised him that due to his on-
2 going recovery from his cancer treatments he will be unable to return to work full time until late
3 November, 2011. As a result of his absence from his office he has been unable to meet and
4 confer with Defendant's counsel for preparation of a joint status report as required by the Court
and will be unable to personally attend the hearing presently scheduled for October 17, 2011.

5 Accordingly, the parties to this stipulation request that the Status [Pretrial Scheduling]
6 Conference be rescheduled to a date to be selected by this Court.

7 Dated: September 28, 2011.

ALTEMUS & WAGNER

8 /s/ Stewart C. Altemus

9 Stewart C. Altemus

10 Attorneys for Plaintiff

11 Dated: September 28, 2011.

HASSARD BONNINGTON

12 /s/ Thomas M. Frieder

13 Attorneys for Defendant

14 **ORDER**

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 [Pretrial Scheduling] Conference presently set for October 17, 2011 at
18 11:300 a.m. be continued to December 19, 2011 at 3:30 p.m. in Courtroom 4 of the above-
19 entitled Court.

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

23 3. That initial disclosures be due seven (7) days preceding the new Status Conference
24 date.

25 Dated: October 3, 2011.

26 
27 LAWRENCE K. KARLTON
28 SENIOR JUDGE
UNITED STATES DISTRICT COURT