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**ALTEMUS & WAGNER**  
**ATTORNEYS AT LAW**

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Stewart C. Altemus (California State Bar No. 98746)

Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CYNTHIA O’CONNER,

Plaintiff,

Case No. 2:11-cv-00818-GEB-CMK

vs.

SHINGLETOWN MEDICAL  
CENTER, ET AL,

STIPULATION and ORDER TO  
CONTINUE INITIAL STATUS  
CONFERENCE

Defendants.

Date: October 17, 2011

Time: 9:00 a.m.

Courtroom 10

Garland E. Burrell, Jr. Judge

Plaintiff, CYNTHIA O’CONNER, by and through her attorney, and Defendants,  
SHINGLETOWN MEDICAL CENTER, DOLLY BROOKS, NP-C, and GORDON LUI, M.D.  
(collectively “Defendants”), by and through their attorney, hereby stipulate as follows:

IT IS HEREBY STIPULATED by and between the parties hereto that the Initial Status  
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 in mid to late  
September. However, his physicians have now advised him that due to his on-going recovery from

1 his cancer treatments he will be unable to return to work full time until late October or early  
2 November, 2011.

3 2. On or about April 4, 2011, Defendants filed their Motion to Dismiss for Lack of  
4 Jurisdiction scheduling the hearing on the Motion for June 6, 2011. After receipt of the Motion by  
5 Plaintiff's attorney, his assistant contacted the attorney for the Defendants, Jason Ehrlinspiel,  
6 advising him of Mr. Altemus's medical condition and requesting that the Motion be continued . Due  
7 to Mr. Altemus's medical condition and a subsequent request by the Defendants' attorney, the  
8 Motion to Dismiss for Lack of Jurisdiction is presently scheduled to be heard on **October 24, 2011**.

9 Accordingly, in the interest of judicial economy, the parties to this stipulation request that the  
10 Initial Status Conference be rescheduled to a date following the hearing on Defendants' Motion to  
11 Dismiss for Lack of Jurisdiction.

12 Dated: September 28, 2011.

ALTEMUS & WAGNER  
/s/ Stewart C. Altemus  
Stewart C. Altemus  
Attorneys for Plaintiff

14 Dated: September 28, 2011.

UNITED STATES ATTORNEY  
  
/s/ Jason Ehrlinspiel  
Jason Ehrlinspiel  
Assistant U.S. Attorney  
Attorneys for Defendants

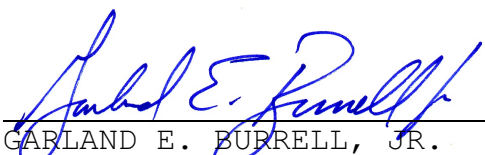
18 **ORDER**

19  
20 For good cause and pursuant to the above Stipulation of the parties,

21 IT IS HEREBY ORDERED that the Initial Status Conference presently scheduled for October  
22 17, 2011 be continued to January 30, 2012, at 9:00 a.m. in Courtroom 10 of the above-entitled Court.

23 A joint status report shall be filed fourteen days prior to the hearing.

24 Dated: September 28, 2011

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GARLAND E. BURRELL, JR.  
United States District Judge