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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: July 18, 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 July 18, 2011, be continued to a date to be set by the
Court following Defendants’ Motion to Dismiss for Lack of Subject Matter Jurisdiction.

The grounds for the stipulation are as follows:

1. The attorney for the Plaintiff, Stewart C. Altemus, has been diagnosed with tonsil cancer
and has undergone three surgeries since February 10, 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 which are scheduled to end in mid-May and the resultant effects of the treatments will be

1 on-going through at least June of 2011. Mr. Altemus's physicians have advised him that he will
2 be unable to work until at least until mid July, 2011 as a result of his illness and chemotherapy and
3 radiation treatments.

4 2. On or about April 4, 2011, Defendants filed their Motion to Dismiss for Lack of
5 Jurisdiction scheduling the hearing on the Motion for June 6, 2011. After receipt of the Motion by
6 Plaintiff's attorney, his assistant contacted the attorney for the Defendants, Jason Ehrlinspiel,
7 advising him of Mr. Altemus's medical condition and requesting that the Motion be continued to a
8 date in August of 2011 to allow Mr. Altemus the necessary time to return to the office and prepare
9 his opposition papers to the Motion. Mr. Ehrlinspiel agreed to change the hearing date of the Motion
10 and Plaintiff's counsel has been advised that the hearing on the Motion will be continued to August
11 22, 2011.

12 Dated: May 20, 2011.

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

14 Dated: May 24, 2011.

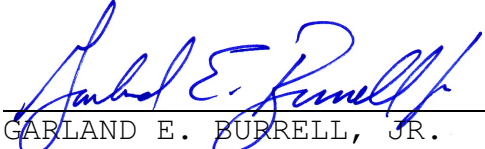
UNITED STATES ATTORNEY

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

18 **ORDER**

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20 Pursuant to the above Stipulation of the parties, the Initial Status Conference presently
21 scheduled for July 18, 2011 is continued to October 17, 2011 at 9:00 a.m. A joint status report shall
22 be filed fourteen days prior to the hearing.

23 Dated: May 25, 2011

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26 GARLAND E. BURRELL, JR.
United States District Judge