

1 SANDRA J. COHEN, CA SB#. 85045  
300 South First Street, Suite 320  
2 San Jose CA 95113  
408-975-0545  
3 *sjcohen@employmentatty.com*

4 Attorney for Plaintiff ELIZABETH SAMUELS

5 SCHIFF HARDIN LLP  
6 Stephen M. Hankins (CSB #154886)  
*shankins@schiffhardin.com*  
7 Sarah D. Youngblood (CSB #244304)  
*syoungblood@schiffhardin.com*  
8 One Market Plaza, Spear Street Tower  
9 Thirty-Second Floor  
San Francisco, CA 94015  
10 Telephone: 415-901-8700  
11 Facsimile: 415-901-8701

12 Attorneys for Defendant  
OWENS-BROCKWAY GLASS CONTAINER INC.

13 **UNITED STATES DISTRICT COURT**

14 **EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION**

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17 ELIZABETH SAMUELS,  
18 Plaintiff,  
19 vs.  
20 OWENS-BROCKWAY GLASS  
CONTAINER, INC. and DOES I through V,  
21 Defendants.

CASE NO. 2:13-CV-00713-GEB-DAD

**STIPULATION AND [PROPOSED]  
ORDER TO FURTHER EXTEND  
EXPERT DISCLOSURE DEADLINES  
AND TO EXTEND DISCOVERY CUT-  
OFF DATE**

Judge: Honorable Garland E. Burrell

22 The parties, by and through their attorneys of record have met and conferred and agreed to  
23 the following stipulation:

24 (1) On July 8, 2013, the Court entered its Pretrial Scheduling Order setting the  
25 discovery and trial schedule in this matter. *See* Docket No. 11.

26 (2) Pursuant to this order, the close of fact discovery is not until October 14, 2014 and  
27 trial is scheduled for May 19, 2015. *Id.*

28 (3) The initial expert disclosure deadline is currently August 22, 2014 and the rebuttal

1 expert disclosure deadline is currently September 12, 2014. *See* Docket No. 21.

2 (4) This is a disability discrimination claim related to two workers' compensation  
3 claims. Both parties are relying upon the opinions of Howard Siu, M.D., the Panel Qualified  
4 Medical Examiner in the underlying workers' compensation matters. The California workers'  
5 compensation rules forbid ex parte communication with Dr. Siu. Defense counsel has been  
6 diligently attempting to schedule Dr. Siu's deposition. The parties have been advised that Dr. Siu  
7 has at least temporarily closed his practice to attend to his sick wife and it has not been possible to  
8 schedule Dr. Siu's deposition before August 22, 2014. Thus, the parties cannot comply with the  
9 requirements of F.R.C.P. 26 by August 22, 2014.

10 (5) The parties have met and conferred and agreed that a further extension of the  
11 deadlines to exchange initial and expert disclosures would be in the best interest of each party and  
12 that such extensions necessitate an extension of the discovery cut-off date.

13 Therefore, the parties have agreed to and propose a further extension of the initial expert  
14 disclosure deadline from August 22, 2014 to September 22, 2014 and an extension of the rebuttal  
15 expert disclosure deadline from September 12, 2014 to October 14, 2014. The parties further  
16 propose an extension of the discovery cut-off date from October 14, 2014 to November 14, 2014  
17 and request that this Court agree to such an extension of the discovery cut-off date.

18 **IT IS SO STIPULATED.**

19 Dated: August 12, 2014

SANDRA J. COHEN

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By: /s/ Sandra J. Cohen

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Sandra J. Cohen

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Attorneys for Plaintiff

ELIZABETH SAMUELS

23 Dated: August 12, 2014

SCHIFF HARDIN LLP

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By: /s/ Sarah D. Youngblood (approved 8/12/12)

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Sarah D. Youngblood

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Attorneys for Defendant

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OWENS-BROCKWAY GLASS

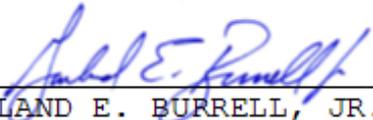
CONTAINER INC.

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1 **PURSUANT TO STIPULATION, THE EXTENSIONS OF THE EXPERT DISCLOSURE**  
2 **DEADLINES ARE SO ORDERED.**

3 **GIVEN THE NECESSITY FOR AN EXTENSION OF THE DISCOVERY COMPLETION**  
4 **DATE IN LIGHT OF THE NEW EXPERT DISCLOSURE DEADLINES, THE**  
5 **DISCOVERY COMPLETION DATE IS EXTENDED TO NOVEMBER 14, 2014.**

6 **Dated: August 14, 2014**

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9 **GARLAND E. BURRELL, JR.**  
10 **Senior United States District Judge**

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