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8 **Attorneys for Defendant**
9 **BNSF Railway Company**

10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA

12 GRACIELA RAMIREZ, Individually, as
13 Successor in Interest of Decedent ALMA
14 VIDRIO, and as Personal Representative of
15 the ESTATE OF ALMA VIDRIO,

16 Plaintiffs,

17 vs.

18 BNSF RAILWAY COMPANY, and AGUSTIN
19 VIDRIO,

20 Defendants.

CASE NO.: 2:13-CV-00968-GEB-DAD

21 **STIPULATION AND [PROPOSED]**
22 **ORDER TO AMEND SCHEDULING**
23 **ORDER**

24 Trial Date: March 17, 2015

25 **Whereas**, the parties originally agreed to limit each party to ten depositions of
26 fact witnesses, and the Court adopted that agreement in its pre-trial scheduling
27 order;

28 **Whereas**, the parties originally agreed to disclose expert witnesses by April 7,
2014, and the Court adopted that agreement in its pre-trial scheduling order;

Whereas, the parties have been unable to complete enough discovery to
sufficiently prepare their respective experts due to circumstances outside of their
control;

1 **Whereas**, additional witnesses have been identified through the course of
2 discovery;

3 **Whereas**, the inability to prepare experts and the identification of new
4 witnesses presents good cause to amend the pre-trial scheduling order;

5 **Whereas**, no party will be prejudice by the proposed amendments,
6 The parties stipulate as follows:

7 1. With the consent of the Court, The Pre-Scheduling Order will be
8 amended to such that each party shall comply with Federal Rule of Civil Procedure
9 26(a)(2)(B) and (C)'s initial expert disclosure requirements on or before May 22, 2014,
10 and any contradictory and/or rebuttal expert disclosure authorized under Rule
11 26(a)(2)(D)(ii) on or before June 22, 2014;

12 2. With the consent of the Court, the parties agree to allow two (2)
13 additional fact witness depositions per side, such that each party will now be
14 permitted twelve (12) total fact witness depositions.

15
16 Dated: March 27, 2014

MARY ALEXANDER & ASSOCIATES

17 /s/ MARY ALEXANDER

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19 MARY ALEXANDER
Attorneys for Plaintiff

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21
22 Dated: March 27, 2014

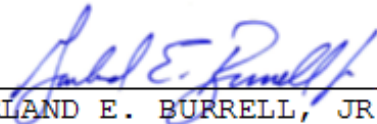
FLESHER McKAGUE LLP

23 /s/ JASON W. SCHAFF

24 _____
25 JASON W. SCHAFF
26 Attorneys for Defendant
BNSF RAILWAY COMPANY

1 **IT IS SO ORDERED:**

2 Dated: March 27, 2014

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6 GARLAND E. BURRELL, JR.
7 Senior United States District Judge
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