

1 **LAW OFFICE OF MARY-ALICE COLEMAN**
2 **MARY-ALICE COLEMAN, SBN 98365**
3 **MICHAEL S. AHMAD, SBN 231228**
4 **DIANNE SCHAUMBURG, SBN 260704**
5 1109 Kennedy Place, Suite #2
6 Davis, CA 95616
7 Telephone: (916) 498-9131
8 Facsimile: (916) 304-0880

9 Attorneys for Plaintiff
10 **PAMELA JEAN BALSLY**

11 **Mark A. Vegh, State Bar No. 173414**
12 **Tyler M. Lalaguna, State Bar No. 223028**
13 **WELLS, SMALL, FLEHARTY & WEIL**
14 **A Law Corporation**
15 292 Hemsted Drive, Suite 200
16 P.O. Box 991828
17 Redding, CA 96099-1828
18 (530) 223-1800
19 Fax: (530)223-1809

20 Attorneys for Defendant
21 **MOUNTAIN COMMUNITIES**
22 **HEALTHCARE DISTRICT**

23 **UNITED STATES DISTRICT COURT**
24 **EASTERN DISTRICT OF CALIFORNIA**

25 PAMELA JEAN BALSLY,)	CASE NO.: 2:13-CV-02334-GEB-CMK
)	
26 Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER EXTENDING PERCIPIENT
27 v.)	DISCOVERY CUTOFFAND MOTION
)	CUTOFF DATES
28 MOUNTAIN COMMUNITIES HEALTHCARE)	
DISTRICT, a public entity,)	TRIAL DATE: September 15, 2015
)	
29 Defendant.)	
)	
)	
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30 This Stipulation and [Proposed] Order is based on the following facts:

- 31 1. Pursuant to the Court’s January 28, 2014 Scheduling Order, the discovery cutoff date in
32 this matter is currently set for February 13, 2015, and the last day to hear motions is April 13, 2015.

1 2. The parties desire to extend the cutoff for percipient discovery and the last day to hear
2 motions for one month. The extension of the closure date for percipient witness discovery is necessary
3 because significant discovery disputes between the parties have delayed the production of relevant
4 documents by Defendant, including emails to and from key witnesses concerning Plaintiff, documents
5 concerning allegations of discrimination or retaliation brought by other employees of Defendant and
6 any investigations thereof, documents concerning employees with positions comparable to Plaintiff's,
7 financial documents that Defendant contends supports its contention that Plaintiff was terminated for
8 financial reasons, and documents concerning prior and subsequent layoffs or reorganizations by
9 Defendant. These discovery disputes have in turn delayed the taking of the depositions of Defendant's
10 key employees which were previously scheduled for mid-January. These key employees have
11 essential knowledge concerning Plaintiff's protected activities, misclassification as an exempt
12 employee, and wrongful termination. Pursuant to agreements recently reached by the parties, a
13 supplemental document production will be served by Defendant this week, and the key witness
14 depositions will be taken during the week of February 9, 2015. The parties respectfully request a one-
15 month extension of the discovery cutoff date so that counsel can review the supplemental documents
16 and prepare for the key witness depositions, and so that further discovery disputes, if any, may be
17 resolved by the new discovery cutoff date of March 13, 2015.

18 4. A one-month extension of the date for the hearing of motions is necessary because
19 Plaintiff believes this matter may be resolved by summary judgment but is unable to file her motion
20 until the above-referenced outstanding discovery is completed.

21 5. In addition, the parties are interested in resolving this matter via private mediation and
22 need this additional time to conduct discovery in preparation for settlement negotiations.

23 6. No prior continuances have been requested in this matter.

24 Based upon the foregoing, in order to facilitate this continuing discovery and evaluation of the
25 case, Plaintiff PAMELA JEAN BALSLEY, (hereinafter referred to as "Plaintiff"), and Defendant
26 MOUNTAIN COMMUNITIES HEALTHCARE DISTRICT (hereinafter "Defendant") hereby stipulate
27 and seek an order of the Court modifying the Court's January 28, 2014 scheduling order as follows:

- 1 (1) The parties will complete percipient witness discovery on or before March 13, 2015;
2 (2) The last hearing date for a motion is May 13, 2015; and
3 (3) All other dates contained within the January 28, 2014 scheduling order or otherwise
4 previously modified are to remain as ordered and are unmodified, altered, or changed.

5 This Stipulation may be executed in counter-part and faxed and/or authorized electronic
6 signature shall be deemed the same as an original execution.

7 DATED: January 26, 2015

LAW OFFICE OF MARY-ALICE COLEMAN

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By: _____
DIANNE SCHAUMBURG
Attorney for Plaintiff
PAMELA JEAN BALSLY

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DATED: January ___, 2015

WELLS, SMALL, FLEHARTY & WEIL

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By: _____
MARK A. VEGH
Attorney for Defendant
MOUNTAIN COMMUNITIES
HEALTHCARE DISTRICT

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17 PURSUANT TO THE ABOVE STIPULATION, IT IS HEREBY ORDERED THAT:

- 18 (1) The parties will complete percipient witness discovery on or before March 13, 2015;
19 (2) The last hearing date for a motion is May 11, 2015; and
20 (3) The pretrial conference is rescheduled for July 6, 2015 at 2:30 p.m. A joint pretrial
21 statement shall be filed seven days prior to the hearing.

22 (3) All other dates contained within the January 28, 2014 scheduling order or otherwise
23 previously modified are to remain as ordered and are unmodified, altered, or changed.

24 Dated: January 30, 2015

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GARIAND E. BURRELL, JR.
Senior United States District Judge

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