



1 Plaintiff Sandra D. McColgan (“Plaintiff”) and Defendant Mutual of Omaha  
2 Insurance Company (“Mutual of Omaha”) (collectively “the Parties”), through their  
3 counsel of record, stipulate as follows:

4 RECITALS

5 1. Mutual of Omaha removed this action from state court to this Court on  
6 November 20, 2013. Pursuant to Judge Mendez’s Initial Scheduling Order, the Parties  
7 must complete their early meeting of counsel (“EMC”) and submit a joint CMC  
8 Statement within 60 days of removal, which is January 17, 2014.

9 2. On November 26, 2013, Mutual of Omaha filed a Motion to Dismiss  
10 pursuant to FRCP 12(b)(6). The hearing on that motion is scheduled for January 22,  
11 2014.

12 3. Mutual of Omaha prefers that the Motion to Dismiss hearing to take place  
13 before the EMC and submission of a CMC Statement to allow for a ruling on the Motion  
14 since, if granted, no EMC or CMC Statement will be necessary. Plaintiff is agreeable to  
15 the continuance because her lead trial counsel, Dugan Barr, is about to commence a  
16 lengthy trial in Alameda County and thus requires an extension as well.

17 4. This is the Parties’ first request for an extension of the foregoing deadline.  
18 The extension will not affect any other scheduled deadlines. The Parties do not anticipate  
19 the need for further continuances.

20 STIPULATION

21 The Parties hereby stipulate that the deadline to complete their EMC and  
22 submit a joint CMC Statement is extended from January 17, 2014 to February 27, 2014.  
23 The six-week extension is necessary to accommodate the trial schedule of Plaintiff’s  
24 counsel.

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SO STIPULATED:

Dated: January 09, 2014

BARGER & WOLEN LLP

By: /s/ J. Russell Stedman  
J. RUSSELL STEDMAN  
PETER J. FELSENFELD  
Attorney for Defendant  
MUTUAL OF OMAHA INSURANCE  
COMPANY

Dated: January 09, 2014

BARR & MUDFORD, LLP

By: /s/ John Douglass Barr  
JOHN DOUGLASS BARR  
TROY DOUGLAS MUDFORD  
DAVID LEE CASE  
ESTEE LEWIS  
Attorneys for Plaintiff, SANDRA  
MCCOLGAN

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**ORDER**

The Parties, by and through their counsel of record, have stipulated that the deadline to complete their early meeting of counsel and submit a joint CMC Statement be extended from January 17, 2014 to February 27, 2014.

Satisfactory proof having been shown and good cause appearing,  
PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

DATED: 1/10/2014

/s/ John A. Mendez  
U. S. DISTRICT COURT JUDGE