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6 7 8	Attorneys for Defendant MUTUAL OF OMAHA INSURANCE COMPANY	
9	UNITED STATES	DISTRICT COURT
10	UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA	
11	SACRAMENTO DIVISION	
12		
13	SANDRA C. MCCOLGAN,	) CASE NO.: 2:13-CV-02417-JAM-DAD
14	Plaintiff,	) ) STIPULATION AND ORDER
15	VS.	<ul> <li>CONTINUING DEADLINE FOR EARLY</li> <li>MEETING OF COUNSEL AND FILING</li> </ul>
16	MUTUAL OF OMAHA INSURANCE	) OF JOINT CMC STATEMENT
17	COMPANY,	) Complaint Filed: September 6, 2013
18	Defendants.	)
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BARGER & WOLEN LLP 650 CALIFORNIA STREET NINTH FLOOR SAN FRANCISCO, CA 94108 (415) 434-2800	STIPULATION AND [PROPOSED] ORDER CONTINUING EMC AND CMC STATEMENT DEADLINE CASE NO. 2:13-CV-02417-JAM-DAD	

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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EN LLP TREET R A 94108 D	STIPULATION AND [PROPOSED] ORDER CONTINUING EMC AND CMC STATEMENT DEADLINE CASE NO. 2:13-CV-02417-JAM-DAD

1	SO STIPULATED:	
2	Dated: January 09, 2014	BARGER & WOLEN LLP
3		
4		By: <u>/s/ J. Russell Stedman</u> J. RUSSELL STEDMAN
5		PETER J. FELSENFELD Attorney for Defendant MUTUAL OF OMAHA INSURANCE
6		COMPANY
7	Dated: January 09, 2014	BARR & MUDFORD, LLP
8	Dated. January 09, 2014	Britter mobilond, LLi
9		By: /s/ John Douglass Barr
10		By: <u>/s/ John Douglass Barr</u> JOHN DOUGLASS BARR TROY DOUGLAS MUDFORD
11		DAVID LEE CASE ESTEE LEWIS
12		Attorneys for Plaintiff, SANDRA MCCOLGAN
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BARGER & WOLEN LLP 650 CALIFORNIA STREET NINTH FLOOR SAN FRANCISCO, CA 94108 (415) 434-2800		NTINUING EMC AND CMC STATEMENT DEADLINE 3-CV-02417-JAM-DAD

1	ORDER	
2	The Parties, by and through their counsel of record, have stipulated that the	
3	deadline to complete their early meeting of counsel and submit a joint CMC Statement be	
4	extended from January 17, 2014 to February 27, 2014.	
5	Satisfactory proof having been shown and good cause appearing,	
6	PURSUANT TO THE STIPULATION, IT IS SO ORDERED.	
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8	DATED: 1/10/2014	
9	/s/ John A. Mendez	
10	U. S. DISTRICT COURT JUDGE	
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BARGER & WOLEN LLP 650 CALIFORNIA STREET NINTH FLOOR SAN FRANCISCO, CA 94108 (415) 434-2800	STIPULATION AND [PROPOSED] ORDER CONTINUING EMC AND CMC STATEMENT DEADLINE CASE NO. 2:13-CV-02417-JAM-DAD	