

1 **ROBERT E. DAVIES, ESQ. / SBN 106810**

rdavies@donahuedavies.com

2 **MARY A. STEWART, ESQ. / SBN 106758**

mstewart@donahuedavies.com

3 **GREGORY A. NELSON, ESQ. / SBN 274926**

gnelson@donahuedavies.com

4 **DONAHUE DAVIES LLP**

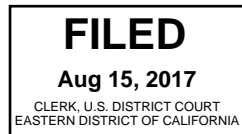
P.O. BOX 277010

5 **Sacramento, CA 95827**

Telephone: (916) 817-2900

6 **Facsimile: (916) 817-2644**

7 **Attorneys for Defendant GLOBAL AVIATION**
SERVICES, LLC (named and served herein as
 8 **“NORTH CAROLINA AVIATION SERVICES dba/aka**
 9 **GLOBAL AVIATION SERVICES LLC”)**



10 **UNITED STATES DISTRICT COURT**

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

12 **-o0o-**

13 **DAMIAN J. WILLIAMS,**

14 **Plaintiff,**

15 **v.**

16 **NORTH CAROLINA AVIATION SERVICES,**
 17 **dba/aka GLOBAL AVIATION SERVICES,**
 18 **LLC, DELTA AIRLINES; and DOES 1 through**
 19 **10, inclusive,**

20 **Defendants.**

Case No. 2:16-CV-02089-VGC

STIPULATION REQUESTING
MODIFICATION OF THE TRIAL
MANAGEMENT SCHEDULE PURSUANT
TO FRCP 16; LOCAL RULE 16-240;
~~PROPOSED~~ ORDER

21 **IT IS HEREBY STIPULATED** by and between the undersigned parties, by and through their
 22 **attorneys of record, as follows:**

23 **The parties agree and request that this Honorable Court modify its Trial Management**
 24 **Schedule based on good cause for the following reasons:**

25 **1. This is a personal injury case based upon allegations of negligence, which arises from**
 26 **a workplace accident at the Sacramento International Airport (“SMF”) on February 19, 2016,**
 27 **allegedly involving a tug owned by DELTA AIRLINES and maintained by NORTH CAROLINA**
 28 **AVIATION SERVICES, dba/aka GLOBAL AVIATION SERVICES.**

STIPULATION REQUESTING MODIFICATION OF TRIAL MANAGEMENT SCHEDULE PURSUANT TO FRCP 16; LOCAL RULE
16-240; [PROPOSED] ORDER

1 2. On November 22, 2016, the Initial Case Management Conference was held in this
2 case.

3 3. On November 22, 2016, the Honorable District Judge Vincent Chhabria issued an
4 Order After Hearing, setting forth the Trial Management Schedule for this case as follows:

5 Fact discovery cut-off	8/18/2017
6 Expert disclosure	8/18/2017
7 Expert rebuttal	9/8/2017
8 Expert discovery cut-off	9/29/2017
9 Last day to file Dispositive 10 Motions	10/6/2017 (contact CRD re preferred location of hearing)
11 Pretrial conference	2/5/2018 (1:30 p.m. in S.F.)
12 Jury Trial	2/12/2018 (8:30 a.m. in Sac.)
13 Number of trial days	TBD at PTC

14
15 4. On June 19, 2017, the Honorable District Judge Vincent Chhabria issued an Order on
16 Stipulation for Modification of Order Setting Trial Management Schedule, modifying the Trial
17 Management Schedule for this case as follows:

- 18 That the fact discovery deadline shall be 9/18/2017;
19 That the expert witness disclosure date shall be 9/18/2017;
20 That the expert rebuttal date shall be 10/9/2017;
21 That the expert discovery cut-off shall be 10/30/2017;
22 That the last day to file dispositive motions shall be 11/6/2017.

23 5. Since issuance of the foregoing Trial Management Schedule and the subsequent
24 Order on Stipulation for Modification of Order Setting Trial Management Schedule, the parties have
25 continued to diligently pursue discovery, including written discovery, subpoenaing of medical and
26 employment records and completing eight depositions, including Plaintiff, four current Global
27
28

1 employees, one former Global employee, and two witnesses to the subject incident and the events
2 which occurred immediately thereafter.

3 6. However, despite the parties' efforts to complete discovery in this case prior to the
4 current cut-off date of September 18, 2017, the parties will be unable to do so as Plaintiff has not
5 completed medical treatment.

6 7. While the parties have previously subpoenaed Plaintiff's medical records, Plaintiff
7 testified at his recent deposition that he recently underwent a further surgical procedure and, to date,
8 has not completed all recommended treatment. As such, the parties will be unable to obtain
9 Plaintiff's complete medical records prior to the current deadline, or to complete an Independent
10 Medical Examination, if necessary.

11 8. The parties have also agreed to attempt to mediate the matter in November, 2017, and
12 are in the process of selecting an agreeable mediator and date. The parties would like to complete the
13 mediation prior to the fact discovery deadline.

14 9. Accordingly, the parties agree and request that this Honorable Court modify its Trial
15 Management Schedule Order as follows

- 16 • That the fact discovery deadline shall be extended 4 months to 1/18/2018;
- 17 • That the expert witness disclosure date shall be extended 4 months to 1/18/2018;
- 18 • That the expert rebuttal date shall be extended 4 months to 2/9/2018;
- 19 • That the expert discovery cut-off shall be extended 4 months to 2/28/2018;
- 20 • That the last day to file dispositive motions shall be extended 4 months to
21 3/6/2018;
- 22 • That the Pretrial Conference and all related dates be continued approximately 4
23 months and be reset pursuant to the Court's availability in June, 2018; and
- 24 • That the Jury Trial and all related dates be continued approximately 4 months
25 and be reset pursuant to the Court's availability in late June or early July, 2018.
- 26
- 27
- 28

1 10. The parties agree that this modification will best serve the parties' interests in light of
2 the discovery which remains to be completed in this case in order to adequately prepare the case for
3 trial, as well as the parties' desire to mediate the matter prior to the fact discovery deadline.
4

5 **IT IS SO STIPULATED.**

6
7 Dated: August 10, 2017

**DREYER BABICH BUCCOLA WOOD
CAMPORA, LLP**

8
9 By: /S/ Daniel G. Scheiderman
10 Daniel G. Schneiderman, Esq.
11 Attorneys for Plaintiff
DAMIAN J. WILLIAMS

12 Dated: August 10, 2017

DONAHUE DAVIES LLP

13
14 By: /S/Robert E. Davies
15 Robert E. Davies, Esq.
16 Mary A. Stewart, Esq.
17 Gregory A. Nelson, Esq.
18 Attorneys for Defendant
19 GLOBAL AVIATION SERVICES, LLC
20
21
22
23
24
25
26
27
28

1 **[PROPOSED] ORDER ON STIPULATION FOR MODIFICATION OF ORDER SETTING**
2 **TRIAL MANAGEMENT SCHEDULE**


3 Pursuant to the foregoing Stipulation for Modification of Order Setting Trial Management
4 Schedule, and good cause appearing therefore,

5 **IT IS ORDERED** that Trial Management Schedule Order is modified as follows:

- 6 • That the fact discovery deadline shall be extended to 1/18/2018;
- 7 • That the expert witness disclosure date shall be extended to 1/18/2018;
- 8 • That the expert rebuttal date shall be extended to 2/9/2018;
- 9 • That the expert discovery cut-off shall be extended to 2/28/2018;
- 10 • That the last day to file dispositive motions shall be extended to 3/6/2018
11 (contact CRD re preferred location of hearing);
- 12 • That the Pretrial Conference be June 15, 2018, at 1:30 a.m. / p.m. in Sac
13 / S.F, with all related dates to be based upon this date; and
- 14 • That the Jury Trial be continued to June / July 25, 2018, at 8:30 a.m. /
15 p.m. in Sac, with all related dates to be based upon this date.

16 **IT IS SO ORDERED.**

17
18 Dated: August 15, 2017

17 
18 _____
19 Vincent Chhabria
20 United States District Judge