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10 Attorneys for Defendant
UPS GROUND FREIGHT, INC.
11 erroneously named as United Parcel Service, Inc..

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13 **THE UNITED STATES DISTRICT COURT**
14 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

15 TYRONE DOUTHERD,
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17 Plaintiff,
18
19 v.
20 DORIS MARIE MONTESDEOCA,
ESTATE OF LUCILLE J. SMITH,
21 DECEASED, UNITED PARCEL
SERVICE, INC., LIBERTY MUTUAL
22 INSURANCE COMPANY, AND DOES
23 1-30,
24 Defendant.

CASE NO. 2:17-CV-02225-KJM-EFB

17 **STIPULATION AND ORDER**
18 **REGARDING THE DEADLINE FOR**
19 **UPS GROUND FREIGHT INC.'S**
20 **REPLY TO ITS MOTION FOR**
21 **SUMMARY JUDGMENT**

Complaint Filed: August 25, 2018
22 **Judge: Hon. Kimberly J. Mueller**

1 **I. INTRODUCTION**

2 The Parties, Plaintiff Tyrone Doutherd, (“Plaintiff”) and Defendant UPS
3 Ground Freight, Inc. (“UPSF”), through their respective attorneys of record, hereby
4 jointly stipulate to, and request the Court’s approval extending the deadline for UPSF
5 to file its reply papers in support of its motion for summary judgment from March 20,
6 2020 to March 25, 2020.

7 **II. RECITALS/GROUNDS FOR RELIEF**

8 UPSF filed a Motion for Summary Judgment, or in the Alternative, Partial
9 Summary Judgment, in response to which Plaintiff requested additional time to file an
10 opposition. The parties stipulated to an extension of the time for Plaintiff to file his
11 opposition to March 6, 2020, and for UPSF to file its Reply on March 20, 2020. The
12 parties also agreed to continue the hearing on UPSF’s motion to April 24, 2020. The
13 Court approved this Stipulation. (Dkt. 132.)

14 Plaintiff subsequently filed two of his opposition papers on March 8, 2020 (Dkt.
15 136 and 137), after the agreed upon deadline. Because of this UPSF had less time
16 than the parties previously stipulated to for drafting and filing its reply papers.

17 Accordingly, to provide UPSF with additional time to prepare and file its reply,
18 the parties have agreed to extend UPSF’s deadline for filing its reply papers. This still
19 leaves the Court adequate time to review the pleadings.

20 THEREFORE, the parties stipulate and agree, and respectfully request that the
21 Court order, as follows:

- 22 1. UPSF shall have up to and including March 25, 2020 to file its reply papers
23 in support of its Motion for Summary Judgment.
- 24 2. The hearing date, for oral argument, shall be remain on April 24, 2020.

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SO STIPULATED.

Dated: March 10, 2020

HUNTON ANDREWS KURTH

/s/ Karen Jennings Evans
Emily Burkhardt Vicente
Karen Jennings Evans
Attorney for Defendant
UPS Ground Freight

Dated: March 10, 2020

LAW OFFICES OF ELLEN DOVE


/s/ Ellen C. Dove
(as authorized on March 10, 2020)
Ellen C. Dove
Attorney for Plaintiff
Tyrone Doutherd

ORDER

The Stipulation of the Parties is accepted. It IS HEREBY ORDERED that UPSF shall have up to and including March 25, 2020 to file its reply papers in support of its Motion for Summary Judgment. The hearing date for oral argument shall remain on April 24, 2020.

IT IS SO ORDERED.

DATED: March 16, 2020



CHIEF UNITED STATES DISTRICT JUDGE