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UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

COLLEEN STEWART,
 Plaintiff,
 vs.
 PROPERTY AND CASUALTY INSURANCE
 COMPANY OF HARTFORD,
 Defendant.

Case No: 2:17-cv-02418-TLN-KJN
**STIPULATION AND ORDER TO STAY
 PROCEEDINGS**
 Date Action Filed: October 12, 2017

1 1. Pursuant to Eastern District of California L.R. 143 and L.R. 144, Plaintiff and
2 Defendant hereby stipulate to continue the fact discovery cutoff and other case deadlines as
3 outlined below.

4 2. At the outset of this case, the Court set a number of discovery and pretrial
5 deadlines. See, ECF No. 7. During the course of this action, the parties stipulated to extend the
6 discovery deadline multiple times, including extensions provided to address Ms. Stewart's
7 significant health problems. ECF Nos. 13, 23.

8 3. Despite those stipulations the parties have engaged in significant discovery. Ms.
9 Stewart participated in her deposition on July 24, 2018, which is currently scheduled to be
10 completed on January 15, 2019. Two property inspections have occurred on July 24 and
11 December 7, 2018. The parties have also engaged in significant written discovery, including
12 requests for production of documents and written interrogatories.

13 4. However, Ms. Stewart continues to suffer from significant health problems. She
14 has had major dental surgery that impacted her mental acuity and required her to take significant
15 medication. Over the last few months, Ms. Stewart has also suffered heart issues that have
16 required the involvement of medical personnel and multiple rounds of subsequent cardiac tests.
17 Ms. Stewart has also recently learned that she has skin cancer, and has been undergoing regular
18 treatments. She suffers from a racing heart, anxiety and a lack of sleep. She does not want to
19 delay this case, but needs to address these very serious health issues that impact her ability to
20 participate in discovery.

21 5. On December 14, 2018, the Court entered an order granting a Stipulation filed by
22 the parties to reschedule dates and deadlines in the litigation. ECF No. 23. Good cause exists to
23 impose a stay of those deadlines for a short period of 3-to-4 months to let Ms. Stewart address
24 her health concerns. The following chart lists the current deadlines, and the proposed new
25 deadlines:

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<u>Event</u>	<u>Current Deadline</u>	<u>Proposed New Deadline</u>
Stay Lifts		April 15, 2019

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<u>Event</u>	<u>Current Deadline</u>	<u>Proposed New Deadline</u>
Plaintiff's Deposition	January 15, 2019	April 30, 2019 (in Sacramento)
Discovery Cut-Off	February 8, 2019	June 17, 2019
Settlement Conference	February 12, 2019	Same
Expert Witness Deadline	March 8, 2019	July 12, 2019
Supplemental Expert Deadline	March 29, 2019	August 2, 2019
Dispositive Motion Deadline	May 16, 2019	September 13, 2019

6. The parties agree that as part of this stipulation, they may still serve document subpoenas on third parties, but will not participate in depositions or written discovery between the parties until the stay has lifted.

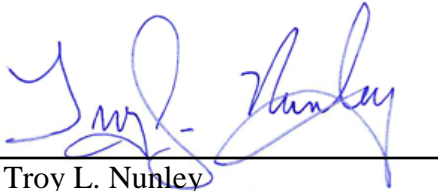
7. Plaintiff does not and will not claim her health problems that form the basis for this stipulation and order have anything to do with Hartford or her insurance claims, nor does she seek damages from Hartford for such health problems.

8. Plaintiff acknowledges that she proposed the present stipulation and order and that Hartford was otherwise ready and able to proceed.

9. Plaintiff further agrees that no damages or interest, if any, shall accrue or be claimed by Plaintiff for the period between January 1, 2019 and the date the stay is lifted, including but not limited to any claims for additional living expenses, and claims relating to delay in adjusting Plaintiff's claim or remediating alleged contamination at Plaintiff's residence. With respect to any delay claims, Plaintiff agrees to a jury instruction (if Hartford elects to offer such an instruction) directing the jury to except the stay period from consideration of any delay allegations, and expressly acknowledges that any alleged delay during this period is not attributable to Hartford. Such instruction will be drafted by Hartford's counsel.

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Dated: January 9, 2019



Troy L. Nunley
United States District Judge