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8 Attorneys for Defendant  
 9 HYUNDAI MERCHANT MARINE CO. LTD.  
 10 (incorrectly sued herein as Hyundai Merchant  
 11 Marine (America) Inc.)

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IN THE UNITED STATES DISTRICT COURT  
 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

FLYNN, DELICH & WISE LLP  
 ATTORNEYS AT LAW  
 ONE CALIFORNIA STREET, SUITE 350  
 SAN FRANCISCO, CALIFORNIA 94111  
 (415) 693-5566

TONITA DOSS

Plaintiff,

vs.

TRANSOCEAN SHIPMANAGEMENT  
GMBA; ETC. ET AL.

Defendants.

) Case No.: 06-07072-JL

) **STIPULATED REQUEST FOR**  
) **AMENDMENT OF THE PRE-TRIAL**  
) **ORDER AND ~~PROPOSED~~ ORDER**

) Trial Date October 4, 2010

) THE HON. MAGISTRATE JUDGE LARSON

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25 Counsel for all parties to this action have met and conferred and jointly request that the  
 26 pre-trial order be amended as set forth below. Counsel are not requesting a change in the trial  
 27 date.

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1 At the case management conference on February 17, 2010, the court set the following pre-  
2 trial dates:

- 3 May 11, 2010 – Last day to disclose experts
- 4 May 28, 2010 – Discovery cutoff (except as to pending discovery motions or noticed  
5 matters)
- 6 June 25, 2010 – Last day to depose experts
- 7 July 7, 2010 – Last day to hear dispositive motions
- 8 July 23, 2010 – Last day to complete ADR proceeding
- 9 August 11, 2010 – Pretrial conference
- 10 October 4, 2010 – Trial, expected to last 7 to 10 days

11  
12 Counsel respectfully request adjustment to these dates, except for the trial date, for the  
13 following reasons. On April 5, 2010 counsel for plaintiff reported that plaintiff had obtained a  
14 second medical opinion and elected to have further surgery for a condition that she contends is  
15 related to injuries for which she is suing in this litigation. Surgery is planned for April or May,  
16 2010 and recovery is expected to take several weeks. After this time, plaintiff will be able and  
17 willing to submit to an independent medical examination by defendants’ medical experts. Plaintiff  
18 will also be able to participate in her continued deposition.

19 Further, defendant Hyundai has filed a motion for summary judgment, scheduled to be  
20 heard on May 12, 2010. Defendants John T. Essenberger and Lungi Shipping anticipate filing a  
21 motion for summary judgment during the week of April 12. Defendants’ motions relate to the  
22 liability issues in this case and are expected at a minimum to narrow the issues for trial and, as a  
23 result, the issues to be addressed by the parties’ experts. Also, defendants expect that the motions  
24 will facilitate meaningful settlement negotiations.

25 For these reasons, counsel for the parties hereby jointly stipulate to the following proposed  
26 schedule and respectfully ask the Court enter an order that as nearly as possible conforms to the  
27 schedule set forth below.  
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- July 6, 2010 – Last day to disclose experts
- July 23, 2010 – Discovery cutoff (except as to pending discovery motions or noticed matters)
- August 20, 2010 – Last day to depose experts
- September 1 , 2010 – Last day to hear dispositive motions
- September 17, 2010 – Last day to complete ADR proceeding
- September 29, 2010  
~~August 29, 2010~~ – Pretrial conference
- October 4, 2010 – Trial, expected to last 7 to 10 days

The signatory below who is e-filing this document hereby attests that she has obtained the concurrence in the filing of this document of each signatory listed below.

Respectfully submitted.

DATED: April 9, 2010

FLYNN, DELICH & WISE LLP

By           /s/ Jeanine Steele Tede  
Jeanine Steele Tede  
Attorneys for Defendant  
HYUNDAI MERCHANT MARINE CO. LTD.

DATED: April 9, 2010

EMARD DANOFF PORT TAMULSKI &  
PAETZOLD LLP

By           /s/ James J. Tamulski  
James J. Tamulski  
Attorneys for Defendants  
JOHN T. ESSBERGER and  
LUNGI SHIPPING, INC.

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DATED: April 9, 2010

BIRNBERG & ASSOCIATES

By       /s/ Cory A. Birnberg        
Cory A. Birnberg  
Attorneys for Plaintiff  
TONITA DOSS

\* \* \*

**Pursuant to stipulation, it is so ordered.**

Dated:   April 14, 2010  

  
United States Magistrate Judge

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