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17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA

19 MALINDA DOTSON,

CASE NO.: CV-08-4291-SI

20 Plaintiffs,

**JOINT STIPULATION TO MODIFY
THE EXISTING SCHEDULING
ORDER AND [PROPOSED] ORDER**

21 vs.

22 UNITED STATES OF AMERICA;
 23 FRANK ZAZUETA, M.D.; MEGAN E.
 HAMREUS, D.O.; CHRISTOPHER
 24 WALLACE, M.D.; ALEXANDER
 STRACHAN, M.D.; and DOES 1 through
 25 25, inclusive,

26 Defendants.

MITCHELL, BRISSE,
 DELANEY & VRIEZE
 814 Seventh Street
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 Eureka, CA 95502

1 The parties in this case respectfully request modification of the existing
2 Scheduling Order as follows:

3 The parties agree to extend the fact discovery cut-off only to allow the completion
4 of the deposition of Malinda Dotson, and to allow for the Independent Medical
5 Examination of Malinda Dotson, both of which are currently scheduled for September 1,
6 2010.

7 Accordingly, the parties also agree to extend the expert disclosure deadline to
8 September 24, 2010 and the expert discovery cut-off to October 29, 2010. Further, the
9 parties agree to move the last day to file a motion for summary judgment from November
10 12, 2010 to November 19, 2010.

11 The parties have been acting in good faith in complying with the current schedule
12 but will be unable to complete discovery under the present deadline due to scheduling
13 conflicts on behalf of the Plaintiff. The parties believe it would impair proper
14 preparation and evaluation of this case if the requested modification is not granted.

15 **IT IS SO STIPULATED:**

16
17 DATED: August 23, 2010

LAW OFFICES OF JAMES A. ZITO

18
19 By: /s/

James A. Zito
Attorneys for Plaintiff

20
21 DATED: August 23, 2010

MELINDA HAAG,
UNITED STATES ATTORNEY

22
23 By: /s/

Melissa K. Brown
Assistant United States Attorney
Attorneys for Defendant
United States of America

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[PROPOSED] ORDER

Pursuant to stipulation of the parties, the fact discovery cut-off is extended from August 26, 2010 to September 1, 2010 for the purpose of allowing the completion of the deposition of Malinda Dotson and to allow the Independent Medical Examination of Malinda Dotson. The expert disclosure deadline is extended from August 27, 2010 to September 24, 2010 and the expert discovery cut-off is extended from October 13, 2010 to October 29, 2010. The last day to file a motion for summary judgment is continued from November 12, 2010 to November 19, 2010.

SO ORDERED

DATED: _____



HONORABLE SUSAN ILLSTON
United States District Court Judge