

1 MICHAEL E. ADAMS  
LAW OFFICES OF MICHAEL E. ADAMS  
2 702 Marshall Street, Suite 300  
Redwood City, California 94063  
3 Telephone: (650) 599-9463  
Facsimile: (650) 599-9785  
4

Attorney for Plaintiff  
5 ROSE R. BARTONICO

6  
7 GARY R. BASHAM (Bar No. 130119)  
KELLEY S. KERN (Bar No. 221265)  
8 MEAGAN D. CHRISTIANSEN (Bar No. 240679)  
BASHAM PARKER LLP  
9 701 University Avenue, Suite 220  
Sacramento, California 95825  
10 Telephone: (916) 925-5850  
Facsimile: (916) 925-5854

11 Attorneys for Defendant  
12 SEARS HOME IMPROVEMENT PRODUCTS, INC.

13 UNITED STATES DISTRICT COURT

14  
15 NORTHERN DISTRICT OF CALIFORNIA

16 ROSE R. BARTONICO,

17 Plaintiff,

18 v.

19 SEARS HOME IMPROVEMENT PRODUCTS,  
20 INC. a corporation, and DOES 1 to 20, inclusive,

21 Defendants.

Case No. 3:08-cv-04667-SI

**STIPULATION AND ORDER TO  
CONTINUE THE DEADLINE FOR  
DEPOSITIONS OF MR. JACK W.  
OSMAN; MR. CRAIG ENOS; DR.  
JOSEPH ZAMMUTO; DR. MONA  
TRIVEDI; AND DR. KHALIL  
RAHMANY**

22 Trial Date: April 26, 2010

23 WHEREAS, as based on the April 26, 2010 trial date, the discovery cut-off date  
24 and the last day to conclude all depositions is November 13, 2009 in this matter;

25 WHEREAS, the parties have both had several scheduling conflicts that have  
26 prevented them from scheduling the following depositions: (1) Defendant's deposition of Plaintiff  
27 expert witness, Jack W. Osman; (2) Plaintiff's deposition of Defendant's expert witness, Craig  
28 Enos; (3) Defendant's deposition of Plaintiff's treating physician, Dr. Joseph Zammuto; (4)

1 Defendant's deposition of Plaintiff's treating physician, Dr. Mona Trivedi; and (5) Defendant's  
2 deposition of Plaintiff's treating physician, Dr. Joseph Khalil Rahmany ("Depositions");

3 WHEREAS, per the Court's order, the parties wish to engage in further  
4 meaningful settlement negotiations without first incurring the substantial costs of completing  
5 necessary discovery;

6 WHEREAS, the parties have jointly agreed and stipulated to respectfully request  
7 that this Court grant a continuance of the deadline date for the above-named Depositions from  
8 November 13, 2009 to February 26, 2009;

9 WHEREAS, this request is not being made of the purposes of delay, or any other  
10 improper purpose;

11 WHEREAS, continuing the deadline for completing the Depositions of the  
12 individuals named above will not prejudice either party or their counsel; and

13 NOW, THEREFORE, IT IS HEREBY STIPULATED and agreed by Plaintiff and  
14 Defendant, through their respective attorneys of record, that this Court continue the deadline for  
15 the completion of the depositions of Mr. Jack W. Osman; Mr. Craig Enos; Dr. Joseph Zammuto;  
16 Dr. Mona Trivedi; and Dr. Khalil Rahmany.

17 Dated: November  
18 6, 2009

LAW OFFICES OF MICHAEL F. ADAMS

19 By: 

20 MICHAEL ADAMS  
21 Attorney for Plaintiff  
22 ROSE R. BARTONICO

23 Dated: Nov 9  
24 October, 2009

BASHAM PARKER LLP

25 By: 

26 GARY R. BASHAM  
27 KELLEY S. KERN  
28 MEAGAN D. CHRISTIANSEN  
Attorneys for Defendant  
SEARS, ROEBUCK & CO.

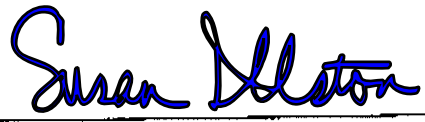
ORDER

Having reviewed the Stipulation of the parties, and good cause appearing:

IT IS HEREBY ORDERED THAT the deadline to complete the depositions of Mr. Jack W. Osman; Mr. Craig Enos; Dr. Joseph Zammuto; Dr. Mona Trivedi; and Dr. Khalil Rahmany, currently set for November 13, 2009, be continued to February 26, 2009.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: \_\_\_\_\_

  
\_\_\_\_\_  
Hon. Susan Illston  
UNITED STATES DISTRICT JUDGE