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10 Attorneys for Defendant
 11 BAYER HEALTHCARE LLC

12 IN THE UNITED STATES DISTRICT COURT
 13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 14

16 LAVON HILL, JR.,

17 Plaintiff,

18 vs.

20 BAYER HEALTHCARE LLC.

21 Defendant

) Case No.: CV 09-00235 JSW

) **JOINT STIPULATION AND**
) **~~PROPOSED~~ ORDER TO MODIFY**
) **CASE MANAGEMETN DATES**

22)
 23)
 24)
 25 Pursuant to Civ. L.R. 7-12, the parties to the above-captioned action, by and through their
 26 undersigned counsel, hereby request that this Court approve the following Stipulation to modify
 27 certain case management dates so that the parties may complete percipient and expect discovery,
 28

JOINT STIPULATION AND ~~PROPOSED~~ ORDER TO MODIFY CASE MANAGEMENT DATES
 (CASE NO. CV-09-00235 JSW)

1 adjudicate dispositive motions, and retain original Pre-trial Conference and Trial dates to the
2 extent necessary.

3 **IT IS HEREBY STIPULATED** by Plaintiff Lavon Hill and Defendant Bayer
4 HealthCare LLC (Bayer) that the Court ought to set the following schedule in this matter:

5 Last Day for Expert Disclosures: 2.5.2010

6 Last Day for Rebuttal Expert Disclosures: 2.19.2010

7 Close of Expert Discovery: 3.5.2010

8 Close of Non-Expert Discovery: 2.12.2010

9 Last Day to Hear Dispositive Motions: Friday, 3.26.2010 [or, in the alternative, 3.19.2010] at

10 9:00 a.m. (opening briefs shall be filed no later than 35 calendar days before the day set for
11 hearing; opposing briefs shall be filed no later than 21 calendar days before the day set for
12 hearing; reply briefs shall be filed no later than 14 calendar days before the day set for hearing).

13
14 **GOOD CAUSE FOR THIS REQUESTED ORDER EXISTS FOR THE**
15 **FOLLOWING REASONS:**

16 1. The parties have worked cooperatively in conducting discovery in this matter and
17 have not required any resort to the Court to resolve any discovery disputes. To date, the parties
18 have: timely completed initial disclosures, supplemented once by Bayer; conducted initial
19 written discovery; entered into a Stipulated Protective Order re: Confidential Materials; and
20 conducted Plaintiff's deposition, completed pending certain additional document disclosure.

21 2. The parties contemplate the following additional discovery:

22 (a) Deposition of Dr. Douglas Chin, a treating physician of Plaintiff, on 1.11.2010;

23 (b) A Site Inspection of Bayer's premises, tentatively scheduled for 1.27.2010, the
24 only date in January upon which Plaintiff's expert is available; and

25 (c) The deposition of the following seven defense witnesses: (i) Chris Burns (a Bayer
26 supervisor and subject matter expert concerning aseptic processing), (ii) Dave Willis (a Bayer
27 supervisor and subject matter expert concerning aseptic processing), (iii) Bob Russey (a Bayer
28 Labor Relations Manager), (iv) Mary Foxall (a Bayer Occupational Health Nurse), (v) John (Jay)

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3 **PURSUANT TO STIPULATION AND GOOD CAUSE OTHERWISE**
4 **APPEARING, THE COURT SETS THE FOLLOWING CASE MANAGEMETN DATES**
5 **IN THIS MATTER:**

6 Last Day for Expert Disclosure: 2.5.2010

7 Last Day for Rebuttal Expert Disclosure: 2.19.2010

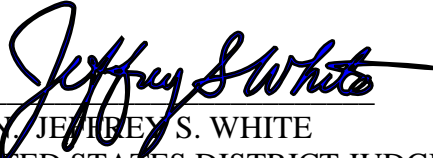
8 Close of Expert Discovery: 3.5.2010

9 Close of Non-Expert Discovery: 2.12.2010

10 Last Day to Hear Dispositive Motions: Friday, 3.26.2010 ~~[3.19.2010]~~ at 9:00 a.m. (opening
11 briefs shall be filed no later than 35 calendar days before the day set for hearing; opposing briefs
12 shall be filed no later than 21 calendar days before the day set for hearing; reply briefs shall be
13 filed no later than 14 calendar days before the day set for hearing).

14 **IT IS SO ORDERED**

15 Dated: January 4, 2010


16 HON. JEFFREY S. WHITE
17 UNITED STATES DISTRICT JUDGE