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18 Attorneys for Defendant
ALLSTATE INDEMNITY COMPANY

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA
22 SAN FRANCISCO DIVISION

23 JAROD NEIGUM,
24 Plaintiff,
25 vs.
26 ALLSTATE INDEMNITY COMPANY,
and DOES 1 through 100,
27 Defendants.

No. CV 09-1758 VRW
**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE DEADLINES
AND FOR AN INDEPENDENT
MEDICAL EXAMINATION**

28 No. CV 09-1758 VRW
STIPULATION AND [PROPOSED] ORDER
REGARDING DEADLINES/MEDICAL EXAM

1 Plaintiff Jarod Neigum and defendant Allstate Indemnity Company, through their
2 respective counsel, enter into this stipulation based on the following facts:

3 1. On August 24, 2009, the Court entered an order setting the following deadlines:

4 Designation of experts/reports: January 29, 2010

5 Designation of rebuttal experts/reports: March 1, 2010

6 Expert discovery cutoff: April 30, 2010

7 2. In December 2009, plaintiff associated new counsel into the case, who require
8 additional time to become familiar with the case and prepare for the designation of experts.

9 3. Allstate has requested, and plaintiff has agreed, that plaintiff submit to a mental
10 examination to allow Allstate to evaluate his emotional distress claim. Plaintiff's request that
11 his deposition precede the mental examination precludes Allstate from having that examination
12 performed, and a report or reports generated, before the January 29 expert designation deadline.

13 4. The only deadline the Court has previously modified in this case relates to ADR.
14 By order dated October 28, 2009, the Court extended from October 30, 2009 to December 31,
15 2009 the date for the parties to complete early neutral evaluation. At the December 17, 2009
16 case management conference, the Court again extended that deadline to coincide with the close
17 of non-expert discovery, March 31, 2010.

18 Based on the above facts, plaintiff and Allstate hereby stipulate as follows and request
19 that the Court adopt this stipulation as its order:

20 1. The parties will exchange their expert designation and reports on or before April 1,
21 2010;

22 2. The parties will exchange their rebuttal expert designation and reports on or before
23 April 23, 2010;

24 3. The expert discovery cut-off should be May 28, 2010;

25 4. Plaintiff will submit to an independent medical examination pursuant to Federal
26 Rule of Civil Procedure 35 within 30 days after his deposition is completed. The examination
27 will consist of a psychiatric interview with Dr. Margo Leahy and psychological testing
28 administered by Paul Berg, Ph.D;

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5. The modification of expert discovery deadlines identified above will affect no other deadline in the case.

IT IS SO STIPULATED.

Filer's Attestation

Pursuant to General Order No. 45, section X(B) regarding signatures, I attest under penalty of perjury that the concurrence in the filing of this document has been obtained from its signatories.

Dated: January 26, 2010 By: /s/ JEFFRY BUTLER
JEFFRY BUTLER

Dated: January 26, 2010 Respectfully Submitted,
GUY KORNBLUM & ASSOCIATES

By: /s/ GUY O. KORNBLUM
GUY O. KORNBLUM

Attorneys for Plaintiff
JAROD NEIGUM

Dated: January 26, 2010 SONNENSCHN NATH & ROSENTHAL LLP

By: /s/ JEFFRY BUTLER
JEFFRY BUTLER

Attorneys for Defendant
ALLSTATE INDEMNITY COMPANY

Pursuant to the stipulation above, IT IS SO ORDERED

Dated: 2/2/2010

