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5 Attorney for Defendants
6 CALIFORNIA HOME MEDICAL
7 EQUIPMENT, INC. ("CHME"), BERNIE ZIMMER,
8 AND EMMANUEL POLIN

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

| | | | |
|----|-------------------------|---|------------------------------------------------|
| 11 | ALIS DERUS, |) | Case No. CV-13-01411 NC |
| 12 | |) | |
| 13 | Plaintiff, |) | ORDER GRANTING DEFENDANTS' |
| 14 | |) | MOTION FOR SHORTENING TIME TO |
| 15 | v. |) | MOVE TO RESCHEDULE TRIAL AND |
| 16 | |) | OTHER CASE DATES |
| 17 | CALIFORNIA HOME MEDICAL |) | |
| 18 | EQUIPMENT, et al., |) | Date: July 22, 2015 |
| 19 | |) | Time: 1:00 P.M. |
| 20 | Defendants. |) | Courtroom: 7 (4 th Floor, San Jose) |
| 21 | |) | MAGISTRATE NATHANAEL COUSINS |

22 This matter came on for hearing on July 8, 2015, at 10:00 a.m., in Courtroom 7, 4th Floor
23 of this Court at 280 South 1st Street, San Jose, California 95113, on defendants California Home
24 Medical Equipment, Inc.'s ("CHME"), Bernie Zimmer's and Emmanuel Polin's motion for an
25 order shortening time. Motion is GRANTED in part as follows:

- 26 1. By July 9, 2015 5:00 p.m. parties to submit stipulation with times and dates of Derus
- 27 2. depositions.
- 28 1. Extend the non-expert discovery deadline from June 30 to July 31, 2015;
1. Extend the expert discovery deadline from July 31 to August 31, 2015;
3. Extend the dispositive motion deadline from July 31 to August 31, 2015;
4. Reschedule the pretrial conference from October 7 to 2:00 p.m. October 14, 2015;
5. Reschedule the trial from October 19 to November 2, 2015;

- 1 6. Compel plaintiff Alis Derus' deposition for up to another six hours at 2890 North Main
2 Street, Suite 304, Walnut Creek, California,
- 3 7. Impose monetary sanctions on plaintiff's attorney, Laurel Mousseau, motion for
4 sanctions for the payment of all reasonable expenses, including but not limited to
5 attorney's fees, court reporter fees, and the value of defendants Bernie Zimmer's and
6 Emmanuel Poulain's time caused by Ms. Mousseau's unilaterally rescheduling Dr. Susan
7 Plate's June 30, 2015, deposition without informing defense counsel and for plaintiff's
8 counsel's failure to participate in good faith in the discovery process, and forcing
9 defendants to expend unnecessary time and effort to move for the relief sought herein;
10 and
- 11 8. Defendants' proposed briefing schedule of July 23 for opening papers, July 27 for
12 opposition, July 28 for reply, and proposed hearing on July 29, 2015, re items 1-7 above.
13 Defendants were represented by Frank P. Sarro. Plaintiff was represented by Laurel A.
14 Mousseau.

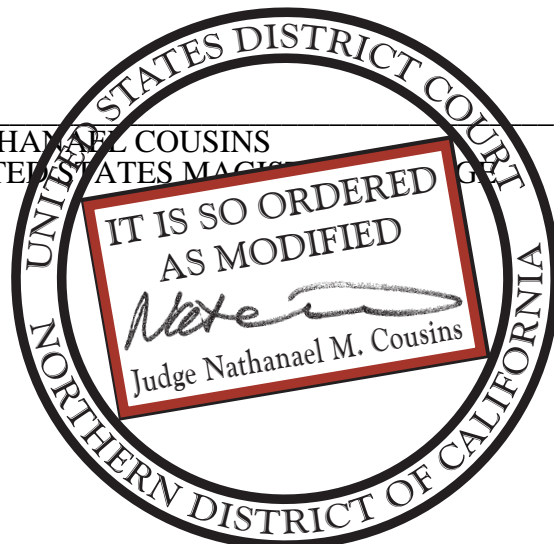
15 For good cause shown, IT IS HEREBY ORDERED:

- 16 1. Defendants' motion for order shortening time is GRANTED IN PART.
17 Defendants shall file their opening papers on motion for sanctions July 23, 2015,
18 plaintiff shall file her opposition on July 27, 2015, and defendants shall file their
19 reply on July 28, 2015. The hearing date on items 1 through 7 above shall be on
20 July 29, 2015, at 1 p.m., in Courtroom 7, 4th Floor of this Court at 280 South 1st
21 Street, San Jose, California 95113.
- 22 2. Deposition of Dr. Plate ordered for July 15, 2015 at 11:00 a.m.

23 IT IS SO ORDERED.

24
25 Dated: July 8, 2015

26 NATHANAEL COUSINS
27 UNITED STATES MAGISTRATE JUDGE



28

Ds' Motion for Order Shortening Time