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12 Attorneys for Defendant
 13 GOLDEN GATE BRIDGE, HIGHWAY &
 TRANSPORTATION DISTRICT
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15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17

19 MARY HOLZHAUER, Individually)
 20 and as the Personal Representative of)
 HARRY HOLZHAUER, DECEASED,)
 21)
 Plaintiff,)
 22)
 v.)
 23)
 DAVID P. RHOADES, an Individual, GOLDEN)
 24 GATE BRIDGE HIGHWAY AND)
 TRANSPORTATION DISTRICT, a governmental)
 25 entity, and and DOES 1-10, Inclusive,)
)
 26 Defendants.)
 27)
 _____)

Case No. 3:13-cv-02862 - JST

**STIPULATION AND ~~PROPOSED~~
 ORDER EXTENDING TIME TO ADD
 PARTY**

1 Plaintiff MARY HOLZHAUER, Individually and as the Personal Representative of HARRY
2 HOLZHAUER (DECEASED) (“Plaintiff”), Defendant GOLDEN GATE BRIDGE, HIGHWAY &
3 TRANSPORTATION DISTRICT (the “District’), and former Defendant David P. Rhoades
4 (“Rhoades”), respectfully submit the following stipulation and proposed order to allow additional
5 time to add Rhoades as a defendant herein as follows:

6 WHEREAS Rhoades was originally named as a defendant herein before the District was
7 named and appeared herein; and

8 WHEREAS Plaintiff voluntarily dismissed Rhoades from this action (without prejudice) on
9 October 24, 2013; and

10 WHEREAS the parties advised that Court in their Joint Case Management Conference
11 Statement (Doc. No. 19) that in regard to Amendment of Pleadings, no new parties or amended
12 pleadings were currently anticipated by the parties other than the fact that depending on the results
13 of preliminary discovery (including the deposition of Mr. Rhoades) and the completion of the Coast
14 Guard investigation, Plaintiff might need to re-name Rhoades as a party to the action; and

15 WHEREAS the Court in its Scheduling Order (Doc. No. 20) set the last day to add parties or
16 amend pleading for February 28, 2014; and

17 WHEREAS the Court also set other dates, including discovery cut-off for July 3, 2014,
18 dispositive motions for September 26, 2014, and trial for January 5, 2015; and

19 WHEREAS the parties and Rhoades are cooperating to complete the deposition of Rhoades
20 and other key witnesses with personal knowledge of the cause of the accident, and are exchanging
21 documents and other evidence, as of this date Mr. Rhoades has not been deposed, the Coast Guard
22 has not issued its report, and Plaintiff does not have sufficient information available to allow the
23 Court’s deadline to pass and not file her claim against Rhoades; and

24 WHEREAS Plaintiff believes that the on-going investigation and the deposition of Rhoades
25 may result in a decision *not* to name him again in this action, or may lead to some other resolution of
26 any such claims against Rhoades (which she contends are subject to the uniform three year of statute
27 limitations applicable to maritime torts); and

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DATED: February 27, 2014

STERLING & CLACK

By: /s/ David E. Russo
David E. Russo

Attorneys for Defendant
GOLDEN GATE BRIDGE, HIGHWAY &
TRANSPORTATION DISTRICT

DATED: February 27, 2014

KEESAL, YOUNG & LOGAN

By: /s/ John D. Giffin
John D. Giffin

Attorneys for Defendant
David P. Rhoades

ORDER

Given the stipulation of the parties and Rhoades, and good cause appearing to support the extension sought, IT IS HEREBY ORDERED that:

1. Plaintiff is given until April 28, 2014 to re-serve Rhoades (via his counsel) and to file a proof of service with the Court;
2. This is the only deadline to be extended, and any other amendment or addition of any party shall be due on February 28, 2014 as previously ordered; and
3. Plaintiff's complaint can be re-served on counsel for Rhoades by April 28, 2014, and Rhoades will thereafter file his response within twenty days thereafter.

IT IS SO ORDERED.

DATED: February 28, 2014

