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

24 SAMARN OLSEN and  
25 NEOLANI OLSEN-RODRIGUEZ,

26 Plaintiffs,

27 v.

28 UNITED STATES OF AMERICA,

Defendant.

) CASE NO. C 14-05601 SI

)  
) **STIPULATION AND ~~PROPOSED~~**  
) **ORDER TO CONTINUE FURTHER**  
) **CASE MANAGEMENT CONFERENCE**

1 WHEREAS, a further case management conference has been scheduled in the above-captioned  
2 matter for Friday, November 20, 2015, *see* Dkt. No. 34;

3 WHEREAS, mediation has been scheduled in the above-captioned matter to be held on January  
4 21, 2016, *see* Dkt. No. 28;

5 WHEREAS, the parties are currently actively engaged discovery, including with respect to issues  
6 regarding the design and construction of the walkway and stairs around Building AB-4 on the VA  
7 campus in Martinez, California, where the accident giving rise to this lawsuit occurred;

8 WHEREAS, a deposition pursuant to Rule 30(b)(6) is scheduled to occur on November 30,  
9 2015, regarding the construction and design of the stairs;

10 WHEREAS, Defendant anticipates that documents and testimony provided on these subjects will  
11 disclose information about third parties with whom Defendant contracted with respect to the design and  
12 construction of the stairs and ramps at issue in this case;

13 WHEREAS, discovery on these issues is potentially relevant to the dispositive defense that the  
14 United States has asserted under the independent-contractor exception to the Federal Tort Claims Act,  
15 28 U.S.C. § 2671, *see* Dkt. No. 17 at 3;

16 WHEREAS, discovery on these issues may also raise the possibility that Plaintiff and/or  
17 Defendant will seek further information from and/or seek leave to add such additional third parties to  
18 this litigation, *see* Dkt. No. 18 at 3;

19 WHEREAS, the parties respectfully submit that a further case management conference is likely  
20 to be more productive after such discovery has been exchanged and the parties have had an opportunity  
21 to develop the factual record on these issues, including with respect to the potential involvement of  
22 additional parties in the litigation;

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1 NOW, THEREFORE, the parties hereby stipulate and agree that the further case management  
2 conference in this matter should be continued to January 29, 2016, or the first date thereafter when the  
3 Court is available.

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6 DATED: November 17, 2015

Respectfully submitted,

BRIAN J. STRETCH  
Acting United States Attorney


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11 DATED: November 17, 2015

/s/ Mark R. Conrad  
MARK R. CONRAD  
Assistant United States Attorney

12 CLAYEO C. ARNOLD  
A Professional Law Corporation

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18 **PURSUANT TO STIPULATION IT IS SO ORDERED.** The further case management conference in  
19 the above-captioned matter shall be and hereby is continued until January 29, 2016. The parties shall  
20 file a further joint case management statement not later than January 22, 2016.

21  
22 Date: 11/17/15

  
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HON. SUSAN ILLSTON  
United States District Court Judge