1	LAMES R ROSEN (SRN: 119438)				
2    3	JAMES R. ROSEN (SBN: 119438) JROSEN@ROSENSABA.COM ELIZABETH L. BRADLEY (SBN: 17227 EBRADLEY@ROSENSABA.COM ROSEN SABA LLP 9350 Wilshire Blvd. Suite 250 Beverly Hills, CA 90212 Telephone: (310) 285-1727 Facsimile: (310) 285-1728	72)			
6 7	Attorneys for Plaintiffs MARLENE PEREZ AND ROSA CERISANO				
141 11	MICHAEL D. BRUNO (SBN: 166805) MBRUNO@GORDONREES.COM HIEU TRAN (SBN: 280585) HTRAN@GORDONREES.COM GORDON & REES LLP 275 Battery Street, Suite 2000 San Francisco, CA 94111 Telephone: (415) 986-5900 Facsimile: (415) 986-8054				
13 14 15	Attorneys for Defendant JOHN MUIR HEALTH (erroneously sued herein as "John Muir Medical Center")				
16	UNITED STATES DISTRICT COURT				
17	NORTHERN DISTRICT OF CALIFORNIA				
18					
19	MARLENE PEREZ, an individual, and ROSA CERISANO, an individual,	CASE NO. 15-01792 HSG			
20 21	Plaintiff, vs.	STIPULATION AND [ <del>PROPOSED]</del> ORDER REGARDING CONTINUANCE OF TRIAL DATE			
22	JOHN MUIR HEALTH, a California corporation, JOHN MUIR MEDICAL CENTER, an unknown business entity,	AND PRETRIAL DATES			
24	and DOES 1-20, et al	Han Judge Hernwood & Gilliom In			
25	Defendants.	Hon. Judge Haywood S. Gilliam, Jr.			
26 27		Complaint Filed: April 21, 2015			
27					
20	1 STIPULATION AND [PROPOSED] ORDER REGARDING CONTINUANCE OF TRIAL DATE AND				
	PRETRIAL DATES CA	SE NO. 15-01792 HSG Dockets.Justia.c			

1	<b>STIPULATION</b>				
2	Pursuant to Civil Local Rules 40-1 and 7-12, the Plaintiffs Marlene Perez				
3	and Rosa Cerisano and Defendant John Muir Health (hereafter collectively referred				
4	to as "the Parties"), through their attorneys of record, hereby jointly stipulate to				
5	request a continuance of the current trial date of July 11, 2016 to November 2,				
6	2016 or a date thereafter convenient to the Court based on the good cause set forth				
7	below.				
8	WHEREAS the trial date for this action is set for July 11, 2016;				
9	WHEREAS lead trial counsel for Defendant, Michael Bruno, has just				
10	learned that he is expecting a baby in June 2016 and will be caring for the newborn				
11	in the following weeks, impacting his ability meet ongoing demands of trial				
12	preparation for this case;				
13	WHEREAS the Complaint was filed in this action on April 21, 2015 in the				
14	above-entitled court;				
15	WHEREAS a case management conference was held on July 21, 2015;				
16	WHEREAS trial is presently set in this matter for July 11, 2016;				
17	WHEREAS the pretrial conference is presently set for June 28, 2016;				
18	WHEREAS the discovery cut-off in the case is February 5, 2016;				
19	WHEREAS the Court, pursuant to the July 29, 2015 Case Management				
20	Order, referred this matter to Early Neutral Evaluation;				
21	WHEREAS the Parties conducted a joint conference with the appointed				
22	Early Neutral Evaluation on December 15, 2015;				
23	WHEREAS the Parties have engaged in initial written discovery and have				
24	taken several key witness depositions, and have been diligently working on				
25	completing the same;				
26	WHEREAS the Parties are continuing to meet and confer regarding				
27	Plaintiffs' intent to seek leave of this Court to file a First Amended Complaint to				
28	2				
	STIPULATION AND <del>[PROPOSED]</del> ORDER REGARDING CONTINUANCE OF TRIAL DATE AND PRETRIAL DATES CASE NO. 15-01792 HSG				
	1				

.

clean up the pleading based on recent discovery, but a stipulation has not yet been 1 reached; 2 WHEREAS associate trial counsel for Defendant, Hieu Tran, scheduled her 3 wedding for September 3, 2016, based on the July 11, 2016 trial date, and her 4 ability to meet the ongoing demands of trial preparation for this case will be 5 adversely impacted if the trial date is continued from July 11, 2016 to a trial date in 6 August or September 2016; 7 WHEREAS, the Parties bring this issue to the Court's attention to avoid this 8 scheduling conflict; 9 WHEREAS the Defendants would be severely prejudiced if they have to 10 proceed with trial on July 11, 2016, given the unavailability of counsel leading up 11 to the trial date: 12 WHEREAS there has been no prior continuance of the trial date in this 13 14 matter; WHEREAS after having engaged in meet and confer discussions, the Parties 15 have agreed to continue the trial date and have all dates, including discovery and 16 motion deadlines, conform to any continued trial date set by this Court; and 17 For the foregoing reasons, the Parties agree to the following extensions of 18 time: 19 20 **Current Date** 21 Event **Proposed Date** Fact Discovery Cutoff February 5, 2016 June 10, 2016 22 Deadline to Exchange February 12, 2016 June 17, 2016 23 Initial Expert Reports Deadline to File February 23, 2016 June 28, 2016 24 **Dispositive Motions** 25 Deadline to File March 15, 2016 July 19, 2016 **Oppositions** to 26 **Dispositive Motions** 27 Deadline to File Replies March 25, 2016 July 29, 2016

## 28

STIPULATION AND [PROPOSED] ORDER REGARDING CONTINUANCE OF TRIAL DATE AND PRETRIAL DATES CASE NO. 15-01792 HSG

1	in Support of Dispositive				
2	Motions				
3	Deadline for Hearing	April 7, 2016 – 2:00 p.m.	August 18, 2016		
	Dispositive Motions Expert Discovery Cutoff	April 22, 2016	August 26, 2016		
4	Pretrial Conference	June 28, 2016 – 3:00 p.m.	October 25, 2016		
5	Jury Trial	July 11, 2016 – 8:30 a.m.	November 7, 2016 – 8:30		
6		10 days	a.m. 10 days		
7					
8					
9	Dated: December 16, 2015 GORDON & REES LLP				
10					
11	By: /S/ MICHAEL D. BRUNO				
12	RAN Defendant				
13	14 Dated: December 16, 2015 ROSEN SABA LLP				
14					
15					
16	By: /S/ JAMES R. ROSEN ELIZABETH L. BRADLEY				
17	Plaintiffs				
18	MARLÉNE PEREZ AND ROSA CERISANO				
19	[PROPOSED] ORDER				
20	Having considered the Parties' Joint Stipulation to Continue Trial Date,				
21	Pretrial Conference, and Certain Pretrial Deadlines, as well as the Court's				
22	schedule, the Court hereby continues the TPASTRES and all Pretrial dates as				
23	requested.				
24					
25	PURSUANT TO STIPULATED DENIED				
26					
27	Dated: <u>12/21/2015</u>		Jr. J. SJ LLIAM, JR. es Jastrict Judge		
28	4				
	STIPULATION AND [PROPOSED] OR SEPARTGARDING CONTRALATION OF TRIAL DATE AND PRETRIAL DATES OF STRICE 1792 ASG				

•