DEADLINE (June 24, 2016) CASE NO. 15-01792 HSG

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Perez et al v. John Muir Health

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## **STIPULATION**

Pursuant to Civil Local Rules 40-1 and 7-12, the Plaintiffs Marlene Perez and Rosa Cerisano and Defendant John Muir Health (hereafter collectively referred to as "the Parties"), through their attorneys of record, hereby jointly stipulate to request a brief extension of the Expert Discovery Deadline (currently June 24), and, with regard to one expert only, the deadline to file a motion in limine.

The requested extension will not affect the pre-trial conference (set for August 2, 2016) or the trial date (August 22, 2016).

Plaintiffs have identified six non-retained medical experts. Two were previously deposed. Defendant noticed all of their depositions for June 23, 2016. However, Plaintiffs' non-retained medical experts are not available for deposition until after the Expert Discovery Deadline of June 24, 2016. These are key witnesses for the plaintiffs.

Defendant identified Dr. Mark Lipian as a retained medical expert. Plaintiffs have noticed Dr. Lipian's deposition for June 24, 2016, or any other day prior to the expert discovery cutoff. However, Dr. Lipian has an annual teaching obligation in France and is unavailable for deposition until July 11, 2016. Dr. Lipian is a key witness for the defense.

The mandatory settlement conference in this case is scheduled for June 28, 2016.

The parties propose briefly continuing the Expert Discovery Deadline to **July 14, 2016**. The parties wish to conserve resources and avoid incurring further cost and expenses related to expert discovery prior to the mandatory settlement conference (June 28). The proposed continuance of the Expert Discovery Deadline would allow Plaintiffs to depose Dr. Lipian on a firm date July 11-13, 2016, in Los Angeles and for Defendants to depose Plaintiffs' experts (retained and/or four non-retained) after the mandatory settlement conference on June 28, 2016.

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1	Plaintiffs anticipate filing a motion in limine to exclude all or part of Dr.	
2	Lipian's testimony. The parties request that the court allow Plaintiffs to file such a	
3	motion by July 15, 2016, and for Defendant to file an opposition by July 19, 2016.	
4	The proposed continuance of this one motion in limine and opposition will provide	
5	the court with two weeks to review the matter prior to the pretrial conference, set	
6	for August 2, 2016. The filing deadlines for all other motions in limine would not	
7	be affected.	
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9	IT IS SO STIPULATED.	
10	Dated: June 22, 2016	GORDON & REES
11		SCULLY MANSUKHANI, LLP
12		By:/S/
13		MICHAEL D. BRUNO HIEU TRAN
14		Attorneys for Defendant JOHN MUIR HEALTH
15	Dated: June 22, 2016	ROSEN SABA LLP
16		
17		By: /s/
18		JAMES R. ROSEN ELIZABETH L. BRADLEY
19		Attorneys for Plaintiffs MARLENE PEREZ AND ROSA
20	CERISANO ORDER	
21 22	Having considered the Parties' Joint Stipulation to Continue the Expert	
23	Discovery Deadline of June 24, 2016, the Court hereby continues the dates as	
24	requested.	
25 26	PURSUANT TO STIPULATION, IT IS SO ORDERED.	
27	Dated: June 23, 2016	Haywood S. Jell
28		United States District Judge
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