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16 Attorneys for Defendants
17 UNITED AIRLINES, INC. and ROSSI THOMAS

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 TONIE HARRIS,

22 Plaintiff,

23 vs.

24 UNITED AIRLINES, ROSSI THOMAS, and
DOES 1-50,

25 Defendants.
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Case No. 15-cv-02510-WHO

**STIPULATION TO CONTINUE ALL
DATES & STAY MATTER PENDING
APPROVAL OF SETTLEMENT and
PROPOSED ORDER**

**Trial Date: October 10, 2017
Time: 8:30 a.m.**

Complaint Filed: June 5, 2015

1 This stipulation seeking a continuance of the trial date and all other dates (“Stipulation”) is
2 entered into by and between Plaintiff Tonie Harris (“Plaintiff”) and Defendants United Airlines, Inc.
3 and Rossi Thomas (“Defendants”), (collectively, the “Parties”). By and through their respective
4 counsel, the Parties jointly request that the Court continue the October 10, 2017, trial date, and all
5 other dates currently set in this matter, by at least 90 days, based on the following:

6 1. Plaintiff filed her Second Amended Complaint in this matter on December 11, 2015
7 (“Lawsuit”).

8 2. Plaintiff has a parallel Workers’ Compensation matter pending before the California
9 Workers’ Compensation Appeals Board (“WCAB”), Case No. ADJ9378869 (“Workers’ Comp
10 Claim”).

11 3. A settlement conference was held before Magistrate Judge Donna M. Ryu on
12 February 3, 2017, at which the Parties reached agreement to settle both the Lawsuit and the
13 Workers’ Comp Claim.

14 4. Because Plaintiff is entitled to Medicare benefits, the settlement of the Workers’
15 Comp Claim must be approved both by Medicare and then by the WCAB.

16 5. It is estimated that the above-described approval process will take between 60 and
17 90 days.

18 6. The Parties wish to avoid incurring the expense of discovery and preparing for a trial
19 when the matter has been settled contingent only on the above-described approvals.

20 7. The trial date has not been previously continued, and the Parties have not previously
21 requested from the Court any continuance in the Lawsuit.

22 8. In view of the foregoing, the Parties conclude that good cause exists for a
23 continuance of the trial date to January 9, 2018, or a date thereafter convenient for the Court, and a
24 like continuance of 90 days for all other dates, as outlined below.

25 IT IS THEREFORE STIPULATED AND AGREED by and among the Parties through their
26 respective counsel of record, that:

27 1. The trial date currently scheduled on October 10, 2017, be continued to on or after
28

1 January 9, 2018.

2 2. The Expert Disclosure Date currently set for March 7, 2017, be continued to on or
3 after June 6, 2017.

4 3. The Expert Rebuttal Date currently set for April 6, 2017, be continued to on or after
5 July 6, 2017.

6 4. The Fact Discovery Cutoff currently set for April 17, 2017, be continued to on or
7 after July 17, 2017.

8 5. That the Expert Discovery Cutoff currently set for May 7, 2017, be continued to on or
9 after August 7, 2017.

10 6. That the Dispositive Motions Heard By currently set for July 19, 2017, be continued
11 to on or after October 18, 2017.

12 7. That the Pretrial Conference currently set for September 18, 2017, be continued to on
13 or after December 18, 2017.

14 8. That the Lawsuit in all respects be STAYED for 90 days.

15 DATED: February 7, 2017

MCCORMAC & ASSOCIATES

16 By: /s/Kathleen A. McCormac
17 Kathleen A. McCormac
Attorneys for PLAINTIFF TONIE HARRIS

18 DATED: February 7, 2017

LAW OFFICES OF MATTHEW J. WITTEMAN

19 By: /s/Matthew J. Witteman
20 Matthew J. Witteman
Attorneys for PLAINTIFF TONIE HARRIS

21 DATED: February 7, 2017

DAVIS WRIGHT & TREMAINE LLP

22 By: /s/Judith Droz Keyes
23 Judith Droz Keyes
Attorneys for DEFENDANTS UNITED AIRLINES,
24 INC. and ROSSI THOMAS

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Signature Attestation Pursuant to LCR 5-1(i)(3)

I, Judith Droz Keyes, obtained permission from opposing counsel to electronically sign the Stipulation to Continue All Dates & Stay Matter Pending Approval of Settlement on their behalf on February 7, 2017.

DATED: February 7, 2016 By: /s/ Judith Droz Keyes

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ORDER

The above STIPULATION TO CONTINUE ALL DATES & STAY MATTER PENDING APPROVAL OF SETTLEMENT is approved. As of the date of this Order, the matter is stayed for 90 days. Further, the Court orders the following dates in this matter:

- Designation of Experts: June 6, 2017
- Designation of Rebuttal Experts July 6, 2017
- Non-Expert Discovery Cut-off: July 17, 2017
- Expert Discovery Cut-off: August 7, 2017
- Deadline to Hear Dispositive Motions: October 18, 2017
- Pretrial Conference: December 18, 2017
- Trial Date: January 9, 2018

IT IS SO ORDERED:

Dated: February 10, 2017



THE HONORABLE WILLIAM H. ORRICK III
UNITED STATES DISTRICT JUDGE