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12 Attorneys for Plaintiffs

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**

16 RICHARD JOHNSON and)
17 MARCELLA JOHNSON,)
18)
19 Plaintiffs,)
20 vs.)
21 PUGET SOUND COMMERCE CENTER,)
22 INC. (FKA TODD SHIPYARDS)
23 CORPORATION), et al.,)
24 Defendants.)
25)
26)
27)
28)

No. 3:15-cv-02664-EMC

STIPULATION AND PROPOSED ORDER
RE: VACATING DEADLINES AND
TRIAL DATE DUE TO PLAINTIFF
RICHARD JOHNSON’S DEATH, AND
MAINTAINING FEBRUARY 4, 2016,
FURTHER CASE MANAGEMENT
CONFERENCE

19 Former plaintiff, RICHARD JOHNSON, recently passed away on November 22, 2015.
20 A suggestion of death was filed on December 17, 2015. Doc. 26

21 Mr. JOHNSON’s Successor-in-Interest now needs to be appointed to pursue survival
22 claims. Counsel is in the process of obtaining the requisite declarations/affidavits from Mrs.
23 JOHNSON regarding her status as decedent’s Successor-in-Interest but she needs additional
24 time.

25 The complaint will also need to be amended to include wrongful death claims, and
26 additional discovery will need to be conducted related to the wrongful death claims. In
27 particular, additional time is required for an autopsy, a procedure that takes several weeks to
28 complete, and to obtain medical records up to and including Mr. JOHNSON’s passing. Counsel

K:\Injured\121343\FED\PLD\stip-vacate deadlines and maintain cmc due to client passing.wpd 1
STIPULATION AND PROPOSED ORDER RE: VACATING DEADLINES AND TRIAL DATE DUE TO
PLAINTIFF RICHARD JOHNSON’S DEATH, AND MAINTAINING FEBRUARY 4, 2016, FURTHER CASE
MANAGEMENT CONFERENCE

1 is in the process of obtaining the requisite authorizations from Mr. JOHNSON's family but,
2 again, the family needs time. Defendants will also want to take depositions of Mr. JOHNSON's
3 heirs once the case is amended for wrongful death.

4 Further, it is likely that at least one new defendant will be added to the case once the case
5 is amended for wrongful death.

6 Parties estimate they will need at least four additional months for discovery beyond the
7 current discovery deadline. However, parties are reluctant to propose an alternative schedule
8 until the case is amended and any new defendants are served.

9 The current fact discovery deadline is January 4, 2016.

10 A Further Case Management Conference is set for February 4, 2016.

11 Trial is set for July 11, 2016.

12 Based on the above, good cause exists to vacate the current case schedule and trial date
13 set forth in the Case Management and Pretrial Order for Jury Trial, Doc. 25. The Further Case
14 Management Conference set for February 4, 2016, at 10:30 a.m., should remain on calendar.

15 Accordingly, plaintiff MARCELLA JOHNSON and defendants PUGET SOUND
16 COMMERCE CENTER, INC. (fka TODD SHIPYARDS CORPORATION) and GEORGIA-
17 PACIFIC LLC have stipulated and agreed that the current case schedule and trial date set forth in
18 the Case Management and Pretrial Order for Jury Trial, Doc. 25, should be vacated and the
19 Further Case Management Conference set for February 4, 2016, should remain on calendar.

20 IT IS SO STIPULATED.

21
22 Dated: December 30, 2015

BRAYTON♦PURCELL LLP

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Attorneys for Plaintiffs

1 Dated: December 30, 2015

YARON & ASSOCIATES

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By: /s/ D. David Steele

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Attorneys for Defendant Puget Sound
Commerce Center, Inc.
(fka Todd Shipyards Corporation)

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8 Dated: December 30, 2015

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Georgia-Pacific LLC
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ORDER

For good cause shown, IT IS SO ORDERED that the current case schedule and trial date set forth in the Case Management and Pretrial Order for Jury Trial, Doc. 25, is vacated. The Further Case Management Conference set for February 4, 2016, at 10:30 a.m., ~~will remain on calendar.~~ is rescheduled February 9, 2016 at 10:30 a.m. An updated joint CMC Statement shall be filed by February 2, 2016.
January 5, 2016

Dated: _____

