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5 Attorneys for Plaintiff

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 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

11 JOEL W. ADELSON, M.D.,

12 Plaintiff,

13 vs.

14  
 15 AMERICAN AIRLINES, INC., A  
 16 DOMESTIC CORPORATON; BRITISH  
 17 AIRWAYS, PLC, A FOREIGN  
 18 CORPORATION,

19 Defendants.

) Case No.: 3:17-cv-00548-WHA

)  
 ) STIPULATION AND ~~PROPOSED~~ ORDER  
 ) FOR AN EXTENSION OF TIME FOR  
 ) PLAINTIFF TO FILE HIS OPPOSITION TO  
 ) DEFENDANTS' MOTION FOR  
 ) JUDGMENT ON THE PLEADINGS

)  
 ) Hearing Date: May 11, 2017  
 ) Time: 8:00 a.m.  
 ) Judge: Hon. William H. Alsup

20 Plaintiff and Defendants, by and through their respective attorneys hereby Stipulate as  
 21 follows:

22 WHEREFORE:

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 24 Plaintiff's opposition to Defendants' Motion for Judgment on the Pleadings is due on or  
 25 before April 17, 2017.

26 Plaintiff is requesting an additional 10 days in which to respond, making Plaintiff's  
 27 opposition due on or before April 27, 2017.  
 28

1 Defendants' Reply will be due on May 4, 2017.

2 Plaintiff needs more time than just the minimum time under the Local Rules, which runs  
3 from the time of filing of the motion to fully and fairly deal with Defendants' Motion and answer  
4 it.

5 Firstly, the issues raised deal with the meaning and application of the terms "embarking"  
6 or "disembarking" in the context of an international aviation flight, under the rules of the  
7 applicable treaty, the Montreal Convention. The terms are not defined in the Montreal  
8 Convention itself, and Plaintiff intends to undertake some extensive research of the cases and  
9 literature on that subject. The 14 days, or more, probably less, present a very short time for a  
10 motion tendering these issues to answer.

11 Secondly, counsel for the responding party is a one lawyer office, and is scheduled to be  
12 out of the office and fully involved in a four day Annual Meeting of a professional trial lawyer  
13 group, long previously scheduled and booked in San Diego the rest of this week. Thus even less  
14 time will be available to deal with this motion. Additional time to reply is respectfully requested  
15 and has been agreed by the moving party.

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17 IT IS SO STIPULATED:

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20 DATED: April 11, 2017

STERNS & WALKER

21  
22 BY  /s/

Gerald C. Sterns  
Attorneys for Plaintiff

23  
24 DATED: April 11, 2017

CONDON & FORSYTH LLP

25  
26 BY  /s/

Scott D. Cunningham  
Attorneys for Defendants


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~~PROPOSED~~ ORDER

IT IS HEREBY ORDERED:

That Plaintiff will have an additional ten days in which to file their Opposition to Defendants' Motion for Judgment on the Pleadings. Plaintiff's opposition will now be due on or Before April 27, 2017 and Defendants' Reply will now be due on May 4, 2017.

Dated: April 17, 2017.

  
\_\_\_\_\_  
The Honorable William H. Alsup  
Judge of the U.S. District Court