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 7 RITE AID CORPORATION

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

11 KIMBERLY BEAGLE,  
 12 Plaintiff,  
 13 vs.  
 14 RITE AID CORPORATION; and DOES  
 15 1 TO 100, INCLUSIVE,  
 16 Defendants.

Case No.: CV08-1517-PJH

**STIPULATION AND [PROPOSED]  
 ORDER TO EXTEND THE EXPERT  
 DISCOVERY CUT-OFF**

17  
 18 Plaintiff Kimberly Beagle and Defendant Rite Aid Corporation, by and  
 19 through their counsel of record, hereby stipulate to the following:

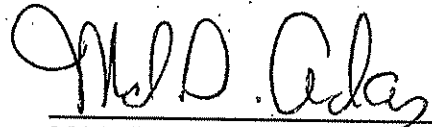
- 20 1. The parties agree to extend the expert discovery cut-off, presently  
 21 ordered for August 31, 2009, to October 16, 2009.
- 22 2. The Court will hear Rite Aid's motion for summary judgment on  
 23 September 16, 2009.
- 24 3. Both sides have disclosed expert witnesses.
- 25 4. Trial in this case is set for January 25, 2010.
- 26 5. Good cause supports the extension of the expert discovery cut-off to  
 27 October 16, 2009. With the current expert discovery cut-off date, the parties  
 28 would need to depose each other's expert witness prior to the ruling on the

1 motion for summary judgment. Furthermore, on August 12, 2009, the parties  
2 exchanged lengthy reports by their experts; with the present expert discovery  
3 cut-off date, the parties would need to study the reports in preparation for the  
4 depositions while at the same time focusing on the pending summary judgment  
5 motion. Extending the cut-off to October 16, 2009 still gives the parties more  
6 than three months to prepare for trial and allows counsel to depose the experts  
7 after the summary judgment motion.

8 IT IS SO STIPULATED.

9 DATED: August 26, 2009

MAYALL, HURLEY, KNUTSEN,  
SMITH & GREEN

11 

12  
13 MARK S. ADAMS  
14 KIMBERLY WILLY  
15 Attorneys for Plaintiff  
KIMBERLY BEAGLE

16 DATED: August 24, 2009

KELLY, HOCKEL & KLEIN P.C.

17  
18 /s/ Annmarie M. Liermann  
19 JONATHAN ALLAN KLEIN  
20 ANNMARIE M. LIERMANN  
Attorneys for Defendant  
RITE AID CORPORATION

21 IT IS SO ORDERED that the expert discovery cut-off of August 31,  
22 2009 is hereby extended to October 16, 2009.

25 DATED: 8/31/09

26 Judge Phyllis A. Hamilton  
27 Judge of the United States District Court,  
28 Northern District of California

