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			COLIDE
	IN THE UNITED STAT	ES DISTRICT	COURT
	FOR THE NORTHERN DI	STRICT OF CA	ALIFORNIA
	OAKLAND	DIVISION	
	BRENDA DAVIS,	C 08-4481 SB	Δ
	,		
	Plaintiffs,		ON AND ORDER G TRIAL DATE
	<b>v.</b>		
		Trial Date: Time:	May 12, 2014 8:30 a.m.
	CALIFORNIA DEPARTMENT OF	Courtroom:	1, 4th floor
	CORRECTIONS AND REHABILITATION, et al.,	Judge:	The Honorable Saundra B. Armstrong
		Action Filed:	September 24, 2008
	Defendants.		
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	Stipulation and [	<del>Proposed</del> ] Order (	Continuing Trial Date (C 08-4481

## TO THE HONORABLE COURT AND THE CLERK OF THE COURT:

PLEASE TAKE NOTICE THAT THE undersigned counsel of record for Plaintiff Brenda
Davis and Defendants California Department of Corrections and Rehabilitation and David
Mandel hereby stipulate and request that the Court vacate and continue the May 12, 2014 trial
dates. Defendants are requesting to continue the trial date because Defendant Mandel, the key
individually named defendant in this matter, has suddenly become severely ill with stage 2
bladder cancer. Dr. Mandel's doctor has ordered that he not participate in litigation for the
remainder of this year. Dr. Mandel is currently undergoing lengthy chemotherapy and surgery,
and will need to spend the rest of the year on his prescribed treatment and recovery. It would
greatly impair Dr. Mandel's health and recovery, should he be forced to participate in litigation
during this time. Due to the chemotherapy, Dr. Mandel is currently immuno-compromised. Dr.
Mandel has been ordered to stay away from people, or places where he may pick up an infection,
cold or virus. Therefore, to force Dr. Mandel to participate in litigation any time during this year
will greatly impair his recovery. Given Dr. Mandel's oncologist's medical opinion, Defendants
request that the trial be continued to 2015, when Dr. Mandel's health is restored, and he is
capable of assisting in his defense. Please see Exhibit A for a true and correct copy of a letter
from Dr. Mandel's physician. Plaintiff Brenda Davis does not oppose this request. Accordingly,
there is good cause for the request.

Additionally, Plaintiff Brenda Davis respectfully requests that the Court decide the pretrial motions *in limine* as scheduled, if possible. Defendants do not object to Plaintiff's request.

1	Respectfully submitted,
2	KAMALA D. HARRIS Attorney General of California
3	Miguel A. Neri Fiel D. Tigno
4	Supervising Deputy Attorneys General KAREN KIYO LOWHURST
5	Deputy Attorney General
6	/s/ Bonnie J. Chen
7	Bonnie J. Chen Deputy Attorney General
8	Attorneys for Defendants CDCR and David Mandel
9	Munuei
10	Respectfully submitted,
11	HAGLUND KELLEY JONES & WILDER, LLP
12	/s/ Christopher Lundberg
13	CHRISTOPHER LUNDBERG, ESQ.  Attorneys for Plaintiff Brenda Davis
14	Anorneys for I tuiniff Brenda Davis
15	
16	ORDER
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