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Attorneys for Plaintiff
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14
 15 **UNITED STATES DISTRICT COURT**
 16 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 17 **SAN FRANCISCO DIVISION**

18 DR. NORRIS HOLLIE, an individual
 19 Plaintiff,

21 vs.

22 CONCENTRA HEALTH SERVICES, INC., a
 Nevada corporation; and DOES 1-100,
 23 inclusive

24 Defendants.

Case No. C 10-5197 PJH

**STIPULATION AND [PROPOSED]
 ORDER TO MODIFY PRETRIAL
 SCHEDULING ORDER TO EXTEND
 DEADLINE FOR NON-EXPERT
 DISCOVERY CUT-OFF**

Action Filed: October 8, 2010
 Trial Date: July 9, 2012

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STIPULATION

IT IS HEREBY STIPULATED AND AGREED by and between plaintiff Dr. Norris Hollie (“plaintiff”) and his attorneys of record, LeClerc & LeClerc, LLP and defendant Concentra Health Services, Inc. (“defendant”), by its attorneys of record Ogletree, Deakins, Nash, Smoak & Stewart, P.C., that the following Stipulation may be entered as an Order by the Court to give effect to the stipulation set forth below:

1. **WHEREAS**, the current deadline for the close of non-expert discovery is February 1, 2012 pursuant to the Court’s Case Management and Pretrial Order (“Pretrial Scheduling Order”) issued March 23, 2011;
2. **WHEREAS**, the parties participated in two unsuccessful mediations without first conducting the depositions of either plaintiff or various defense witnesses;
3. **WHEREAS**, the parties require additional time to complete the deposition of plaintiff and various defense witnesses in light of calendaring conflicts among both the witnesses and their respective counsel of record,
4. **WHEREAS**, this is the parties’ first request to modify any part of the Pretrial Scheduling Order;
5. **WHEREAS**, neither party will be prejudiced by a short extension of no less than thirty days, for deadlines to complete non-expert discovery; and
6. **WHEREAS**, good cause exists for the Court to modify the Pretrial Scheduling Order to continue the aforementioned deadlines for no less than thirty days as laid out above;

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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, John G. Lee, hereby declare as follows:

I am one of the attorneys of record for defendant Concentra Health Services, Inc. in this action and am duly licensed to practice law in the State of California and in the United States District Court for the Northern District of California.

I hereby attest that concurrence from plaintiff's attorney, Christopher R. LeClerc, has been obtained in the filing of this **STIPULATION AND [PROPOSED] ORDER TO MODIFY PRETRIAL SCHEDULING ORDER TO EXTEND DEADLINE FOR NON-EXPERT DISCOVERY CUT-OFF.**

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct and, if called as a witness, I could testify competently thereto.

Executed at San Francisco, California, this 9th day of January, 2012.

By: _____ / s / _____
John G. Lee

1 **ORDER**

2 1. **WHEREAS**, the current deadline for the close of non-expert discovery is
3 February 1, 2012 pursuant to the Court’s Case Management and Pretrial Order (“Pretrial
4 Scheduling Order”) issued March 23, 2011;

5 2. **WHEREAS**, the parties participated in two unsuccessful mediations without first
6 conducting the depositions of either plaintiff or various defense witnesses;

7 3. **WHEREAS**, the parties require additional time to complete the deposition of
8 plaintiff and various defense witnesses in light of calendaring conflicts among both the witnesses
9 and their respective counsel of record,

10 4. **WHEREAS**, this is the parties’ first request to modify any part of the Pretrial
11 Scheduling Order;

12 5. **WHEREAS**, neither party will be prejudiced by a short extension of no less than
13 thirty days, for deadlines to complete non-expert discovery; and

14 6. **WHEREAS**, good cause exists for the Court to modify the Pretrial Scheduling
15 Order to continue the aforementioned deadlines for no less than thirty days as laid out above;

16 **GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED** that the
17 Pretrial Scheduling Order of March 23, 2011 be modified to extend the deadline for the non-
18 expert discovery cutoff from February 1, 2012 to February 29, 2012. All other dates shall
19 remain the same.

20 **IT IS SO ORDERED.**

21 DATED: 1/17/12

