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*Attorneys for Plaintiff*

IN THE UNITED STATES DISTRICT COURT

IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 EVELINA POPAL, as Successor in Interest of  
 10 the ESTATE OF FAZEL POPAL; EVELINA  
 11 POPAL, an individual; A.P., a minor, by and  
 12 through her Guardian Ad Litem MARGARITA  
 13 BALSYAVICHUS; and T.P., a minor, by and  
 14 through her Guardian Ad Litem MARGARITA  
 15 BALSYAVICHUS,

Plaintiff,

vs.

16 UNION PACIFIC RAILROAD COMPANY, a  
 17 corporation; NATIONAL RAILROAD  
 18 PASSENGER CORPORATION dba  
 19 AMTRAK, a corporation; THOMAS  
 20 McKEOWN, individually; and DOES 1 through  
 21 100, inclusive,;

Defendants.

CASE NO. C 15-00553 JSW

**JOINT STIPULATION AND  
 [PROPOSED] ORDER REGARDING  
 CONTINUANCE OF ALL PRE-TRIAL  
 DATES AND TRIAL DATE**

Trial Date: August 1, 2016  
 Time: 8:00 a.m.  
 Hon. Jeffrey S. White

**JOINT STIPULATION**

24 Plaintiffs EVELINA POPAL, as Successor in Interest of the ESTATE OF FAZEL  
 25 POPAL; EVELINA POPAL, an individual; A.P., a minor, by and through her Guardian Ad  
 26 Litem MARGARITA BALSYAVICHUS; and T.P., a minor, by and through her Guardian Ad  
 27 Litem MARGARITA BALSYAVICHUS and Defendants UNION PACIFIC RAILROAD  
 28 COMPANY, NATIONAL RAILROAD PASSENGER CORPORATION dba AMTRAK, and

1 THOMAS MCKEOWN hereby submit this Joint Stipulation and [Proposed] Order continuing  
2 the trial date and all pre-trial dates for the above-captioned case:

3 WHEREAS, on May 8, 2015 the Court issued its scheduling order setting forth the  
4 following deadlines:

5 ADR: Early Neutral Evaluation to be completed by 9-25-15

6 Close of Discovery: 1-1-16

7 Initial Disclosures due: 2-5-16

8 Rebuttal due: 2-19-16

9 Close of Expert Discovery: 3-11-16

10 Hearing on Dispositive Motions (if any): 4-1-16 at 9:00 a.m.

11 Pretrial Conference: 7-11-16 at 2:00 p.m.

12 Jury Selection: 7-27-16 at 8:00 a.m.

13 Jury Trial: 8-1-16 at 8:00 a.m. (3 week est.)

14 WHEREAS, Attorneys Robert Pottroff and Joseph Sayler have been associated in as joint  
15 counsel on behalf of Plaintiffs, as of December 7 and December 9, respectively.

16 WHEREAS, despite diligent efforts, coordinating several deposition have been difficult  
17 as witnesses are located throughout California and out of state.

18 WHEREAS, all parties agree that further time is needed to continue discovery and are  
19 working diligently to ensure the most efficient process.

20 WHEREAS, this is the first continuance requested by the parties and good cause exists  
21 for the continuance.

22 NOW, THEREFORE, IT IS HEREBY JOINTLY STIPULATED, by and between the  
23 parties, through their respective counsel of records, and subject to the Court's approval, that the  
24 dates previously set by this Court be continued as follows:

25 Close of Discovery: 5-1-16

26 Initial Disclosures due: 6-5-16

27 Rebuttal due: 6-19-16

28 Close of Expert Discovery: 7-11-16

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Hearing on Dispositive Motions (if any): 8-1-16 at 9:00 a.m.  
Pretrial Conference: 10-1-16 at 2:00 p.m.  
Jury Selection: 10-18-16 at 8:00 a.m.  
Jury Trial: 10-26-16 at 8:00 a.m. (3 week est.)

Dated: January 29, 2016

Harris Personal Injury Lawyers, Inc.

By:        /S/ Katie McIver \_\_\_\_\_  
Katie McIver  
Attorney for Plaintiffs

Dated: January 29, 2016

Flesher Schaff & Schroeder, Inc.

By:        /S/ Jason Schaff \_\_\_\_\_  
Jason Schaff  
Attorney for Defendants Union Pacific Railroad  
Company, Amtrak, and Thomas McKeown

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3 The Court, having reviewed the parties' stipulation hereby GRANTS the parties'  
4 stipulation for a continuance as follows:

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6 CASE MANAGEMENT DEADLINES:

7 Close of Discovery: 4-1-16

8 Initial Disclosures due: 6-5-16

9 Rebuttal due: 6-19-16

10 Close of Expert Discovery: 7-11-16

11 Hearing on Dispositive Motions (if any): ~~8-1-16~~ 8-5-16 at 9:00 a.m.

12 Pretrial Conference: ~~10-1-16~~ 10-3-16 at 2:00 p.m.

13 Jury Selection: ~~10-18-16~~ 10-19-16 at 8:00 a.m.

14 Jury Trial: ~~10-26-16~~ 10-24-16 at 8:00 a.m. (3 week est.)

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17 PURSUANT TO STIPULATION, IT IS SO ORDERED:

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20 Dated: February 1, 2016

  
HONORABLE JEFFREY S. WHITE

UNITED STATES DISTRICT COURT