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 7 COSTCO WHOLESALE CORPORATION

8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

12 MARGARET EDWINSON,
 13 Plaintiff,
 14 vs.
 15 COSTCO WHOLESALE CORPORATION
 and Does 1 through 10, inclusive,
 16 Defendants.
 17

Case No. 4:20-cv-02705-HSG

**STIPULATION AND ORDER TO
 EXTEND DEADLINES FOR FACT
 DISCOVERY AND DESIGNATION OF
 EXPERT WITNESS INFORMATION**

18 **RECITALS**

19 The parties to this action, by and through their respective attorneys of record, respectfully
 20 submit the following Stipulation and [Proposed] Order to Extend the Deadline for Fact Discovery:

21 WHEREAS, on August 4, 2020 the Initial Case Management Conference was held in this
 22 matter;

23 WHEREAS, on August 12, 2020, this Court issued a Scheduling Order, which provided
 24 the following deadlines:

- 25 1. Close of Fact Discovery: March 15, 2021;
- 26 2. Designation of Experts: April 5, 2021;
- 27 3. Last Day for Hearing on Dispositive Motions: April 15, 2021;
- 28 4. Pre-Trial Conference: July 6, 2021;

1 5. Jury Trial: July 26, 2021.

2 WHEREAS, Costco received Plaintiff's verified discovery responses on August 14, 2020,
3 and promptly issued subpoenas to the medical providers Plaintiff identified in her responses;

4 WHEREAS, Costco has not yet received Plaintiff's complete subpoenaed medical records
5 or employment records;

6 WHEREAS, based on Plaintiff's discovery responses and Plaintiff's medical records
7 received to date, counsel for Costco is informed and believes that Plaintiff had a pre-existing
8 medical condition that resulted in her need for surgery after the accident, and therefore needs to
9 acquire Plaintiff's complete medical records and depose Plaintiff's prior treating physicians;

10 WHEREAS, due to the impact of COVID-19 causing issues with obtaining Plaintiff's
11 complete medical records, the parties cannot meaningfully proceed with taking the depositions of
12 Plaintiff's treating physicians;

13 WHEREAS, the parties wish to participate in mediation in good faith, and to devote their
14 efforts at resolving this matter at mediation, and, to that end, wish to perform the depositions of
15 Plaintiff's treating physicians and liability percipient witnesses until after mediation so as to
16 preserve those resources for potential resolution;

17 WHEREAS, the parties are scheduled to mediate this matter on March 3, 2021 with
18 mediator Craig Needham;

19 WHEREAS, to allow sufficient time to conduct the necessary fact discovery and conduct
20 the necessary depositions after mediation if unsuccessful, the parties have agreed to stipulate to
21 extend the fact discovery deadline from March 15, 2021 to April 26, 2021;

22 WHEREAS, to allow sufficient time to conduct the necessary fact discovery, acquire the
23 necessary deposition testimony, and participate in mediation before significant expenses are
24 incurred, the parties have agreed to stipulate to extend the expert designation deadline from April
25 5, 2021 to May 10, 2021;

26 WHEREAS, the parties do not wish to modify any other deadlines in this matter.

27 WHEREAS, the parties will not be prejudiced by an extension of time to conduct fact
28 discovery, make their expert disclosures and conduct expert depositions. This is the first such

