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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN JOSE)

NICK MASTERS, Plaintiff, v. COUNTY OF SANTA CLARA, et al., Defendants.	No. 08-02473 PVT **STIPULATION AND REQUEST FOR ORDER MODIFYING CASE MANAGEMENT ORDER; DECLARATION OF DAVID M. ROLLO**

COME NOW THE PARTIES who have stipulated to the following request for an Order modifying the Case Management order as follows:

CURRENT CASE MANAGEMENT ORDER	PROPOSED NEW DATE/ORDER
Expert Discovery Cutoff. . . . . July 16, 2010	August 13, 2010
Final Pretrial Conference. . . . . August 24, 2010 2:00 p.m.	Unchanged
Jury Trial. . . . . September 20, 2010 9:30 a.m.	Unchanged

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This Stipulation and proposed Order is accompanied by the Declaration of David M. Rollo attached hereto.

IT IS SO STIPULATED.

Dated: July 2, 2010

By: /S/
B. ROBERT ALLARD, Esq.

Attorney for Plaintiff

I hereby attest that I have on file the holograph signature for the signature indicated by a "conformed" signature (/S/) within this e-filed document.

Dated: July 2, 2010

Respectfully submitted,

MIGUEL MÁRQUEZ
County Counsel

By: /S/
DAVID M. ROLLO
Deputy County Counsel

Attorneys for Defendants

ORDER

The Court has considered the Stipulation to modify the Case Management Order. The Court makes the following Order pursuant to the Stipulation. The Case Management Order is modified as follows:

Expert Discovery Cutoff. . . . . **August 13, 2010**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: July 12, 2010

MAGISTRATE PATRICIA V. TRUMBULL
United State District Court Judge

DECLARATION OF DAVID M. ROLLO IN SUPPORT OF STIPULATION AND REQUEST FOR ORDER

I, David M. Rollo, declare as follows;

1. I am employed as a Deputy County Counsel for the County of Santa Clara and am duly licensed to practice law before this Court and all California courts. I am attorney of record for the defendants herein.

2. This request for an order modifying the Case Management Order is made jointly pursuant to stipulation. Counsel for both parties have met and conferred regarding the proposed trial date and other modified dates.

3. The parties have been working jointly to schedule depositions of expert witnesses, the majority of which are treating physicians. These health care professionals have limited availability for depositions. Counsel for plaintiff is currently on a two week vacation out of the country and will return the week of July 12. The parties need additional time to schedule and complete the depositions.

4. The parties have previously requested modifications to the Case Management Order on May 18, 2009 (Document 23), July 20, 2009 (Document 29) and October 9, 2009 (Document 33) due in part to medical reasons/leaves by defendants' counsel, and in part to plaintiff's unresolved medical condition.

I declare under penalty of perjury that the foregoing is true and correct, and I executed this Declaration on July 2, 2010, at San Jose, California.

/S/
DAVID M. ROLLO

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