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 10 DR. JOEL DREXEL

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

13 DR. JOEL DREXEL,

) Case No. C08 3653 JW  
 )  
 )

14 Plaintiff,

) STIPULATION OF THE PARTIES RE:  
 ) PROPOSED AMENDMENT TO  
 ) SCHEDULING ORDER; ~~PROPOSED~~ ORDER

15 vs.

16 BERKSHIRE LIFE INSURANCE  
 17 COMPANY OF AMERICA; THE  
 18 GUARDIAN LIFE INSURANCE  
 19 COMPANY OF AMERICA, DOES I  
 20 THROUGH V, INCLUSIVE, AND ROE  
 21 CORPORATIONS I THROUGH V,  
 22 INCLUSIVE,

23 Defendants.

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24 Plaintiff Joel Drexel, through his counsel of record Gary S. Rose, and Defendants  
 25 Berkshire Life Insurance Company of America and The Guardian Life Insurance Company of  
 26 America, through their counsel of record Sean P. Nalty, hereby submit the following stipulation, in  
 27 which the parties respectfully request that the court modify its scheduling order to extend the  
 28 deadline for the disclosure and filing of expert witness reports from the current date of August 3,  
 2009, to August 17, 2009, for the reasons discussed below:

1. Plaintiff's current counsel substituted into this case on April 16, 2009, and have  
 diligently worked with defense counsel to develop the issues on a fact and document intensive



*James Ware*  
PROPOSED ORDER

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2 Based on the stipulation stated above, and good cause appearing, the court hereby orders  
3 that the April 28, 2009 scheduling order shall be modified to permit the disclosure of expert  
4 witnesses on August 17, 2009. In all other respects, the scheduling order remains unchanged.

5 DATED: July 20, 2009 \_\_\_\_\_

*James Ware*  
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HONORABLE JAMES WARE  
DISTRICT COURT JUDGE

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