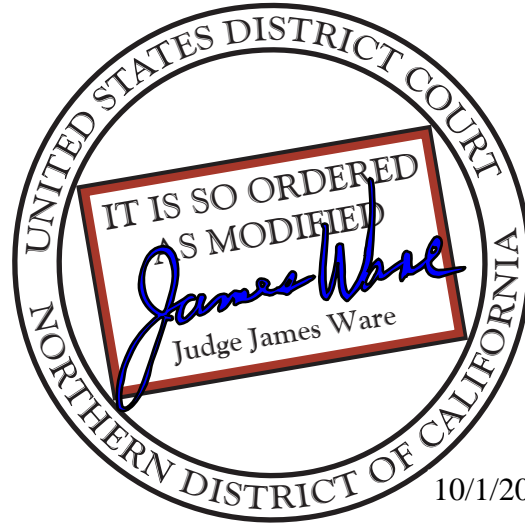


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10/1/2010

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN JOSE DIVISION

13 RABBIA ALHOZBUR, )  
 14 Plaintiff, )  
 15 v. )  
 16 JOHN McHUGH, Secretary of the Army, )  
 17 Defendant. )

No. C 09-1576 JW

**STIPULATION AND [PROPOSED]  
 ORDER CONTINUING DATES AND  
 DEADLINES**

19 Under the current scheduling order for this case, expert disclosures and reports are due  
 20 October 1, 2010, rebuttal expert disclosures and reports are due October 15, 2010, and the fact  
 21 and expert discovery cutoff is December 6, 2010. This case is scheduled for a preliminary  
 22 pretrial conference on Monday, November 15, 2010. The last day for hearing on dispositive  
 23 motions is February 28, 2011. No trial date has been set.

24 The pretrial schedule was previously extended by stipulation and order due to discovery  
 25 disputes between the parties and related discovery motions. On September 8, 2010, Magistrate  
 26 Judge Howard Lloyd issued two discovery orders. He denied defendant's motion to compel a  
 27 vocational interview of plaintiff, and he granted defendant's motion to compel the completion of

28

1 psychological testing of the plaintiff. As to the latter motion, Magistrate Judge Lloyd ordered the  
2 remaining psychological testing to be completed within 30 days.

3 Plaintiff's counsel then advised defendant's counsel that plaintiff was in Jordan due to the  
4 death of her husband's father, with an expected return date of September 27, 2010. The  
5 completion of the psychological testing is likely to go forward on October 5, 2010.

6 In order to allow the completion of the court-ordered testing, the interpretation of the  
7 testing results, and the preparation of expert reports, the parties hereby STIPULATE AND  
8 REQUEST that the below-listed dates and deadlines be extended as follows:

9 Expert disclosure: November 2, 2010

10 Rebuttal expert disclosure: November 16, 2010

11 Preliminary Pretrial Conference: December 20, 2010 at 11:00 AM  
12 Preliminary Pretrial Conference statement due December 10, 2010.  
13 Discovery cutoff (fact and expert): January 14, 2011

14 Last day motion hearing: March 28, 2011

15 Respectfully submitted,

16 MELINDA HAAG  
United States Attorney

17 /s/ Claire T. Cormier

18 Dated: September 30, 2010

19 \_\_\_\_\_  
20 CLAIRE T. CORMIER<sup>1</sup>  
Assistant United States Attorney

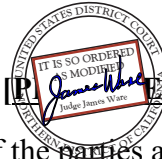
21 BROWNSTEIN THOMAS LLP

22 /s/ Mark C. Thomas

23 Dated: September 30, 2010

24 \_\_\_\_\_  
25 MARK C. THOMAS  
Attorney for Plaintiff

26 \_\_\_\_\_  
27 <sup>1</sup> I, Claire T. Cormier, hereby attest that I have on file all holographic signatures for any  
28 signatures indicated by a "conformed" signature (/s/) within this e-filed document.



**[P] [PROPOSED] ORDER**

Pursuant to the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED that the dates and deadlines for the following case events are continued as indicated.

The new deadlines will be:

Expert disclosure: November 2, 2010

Rebuttal expert disclosure: November 16, 2010

Preliminary Pretrial Conference: December 20, 2010 at 11:00 AM

Preliminary Pretrial Conference statement due December 10, 2010.

Discovery cutoff (fact and expert): January 14, 2011

Last day motion hearing: March 28, 2011

IT IS SO ORDERED.

Dated: October 1, \_\_\_\_\_, 2010

  
\_\_\_\_\_  
JAMES WARE  
UNITED STATES DISTRICT COURT JUDGE