

1 KYMBERLY E. SPEER (SBN 121703)
 2 ELIZABETH D. RHODES (SBN 218480)
 3 KENNEY & MARKOWITZ L.L.P.
 255 California Street, Suite 1300
 4 San Francisco, CA 94111
 Telephone: (415) 397-3100
 5 Facsimile: (415) 397-3170
kspeer@kenmark.com
erhodes@kenmark.com

6 Attorneys for Defendant
 UNITED AIR LINES, INC.

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11 CHAD NICHOLAS,
 12 Plaintiff,

CASE NO. C09-02089 RS

13 v.

**~~PROPOSED~~ STIPULATION AND
 ORDER TO CONTINUE DEADLINE
 AND HEARING RE DISMISSAL FOR
 20 DAYS**

14 UNITED AIR LINES, INC., and DOES 1
 15 THROUGH 50, INCLUSIVE,
 16 Defendants.

17
 18
 19
 20 Plaintiff Charles "Chad" Nicholas and defendant United Airlines, Inc., through their
 21 counsel of record, hereby stipulate and agree to the following:

22 1. The parties have completed settlement documents but are still awaiting approval
 23 from Medicare to release the settlement check, in compliance with Section 111 of the Medicare,
 24 Medicaid and SCHIP Extension Act of 2007 (MMSEA), which requires the approval of Medicare
 25 before distribution of settlement funds occurs.

26 //

27 //

28 //

Kenny
&
Markowitz
L.L.P.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2. The parties desire and request that the Court continue for 20 days both the current deadline of October 28, 2010 to file a Stipulation of Dismissal and the hearing on the Order to Show Cause currently set for November 4, 2010 at 1:30 p.m. in this Court.

DATED: October 27, 2010

KENNEY & MARKOWITZ L.L.P.

By: /s/ Elizabeth D. Rhodes
KYMBERLY E. SPEER
ELIZABETH D. RHODES
Attorneys for Defendant
UNITED AIR LINES, INC.

DATED: October 27, 2010

SHEA & SHEA P.L.C.

By: /s/ Nicole N. Hancock
MARK B. O'CONNOR
NICOLE N. HANCOCK
Attorneys for Plaintiff
CHARLES "CHAD" NICHOLAS

IT IS SO ORDERED.

Deadline to file Stipulation of Dismissal shall be continued to December 2, 2010.
Order to Show Cause Hearing continued to December 9, 2010 at 1:30 p.m.

DATED: 10/28/10

RICHARD G. SEEBORG
UNITED STATES DISTRICT JUDGE

Kenney
&
Markowitz
L.L.P.