

E-Filed 10/12/10

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 8 **UNITED STATES DISTRICT COURT FOR THE**
 9 **NORTHERN DISTRICT OF CALIFORNIA**

10
 11 NOREEN SALINAS,
 12 Plaintiff,

13 v.

14 CITY OF SAN JOSE; CHIEF
 15 ROBERT DAVIS; SGT. JASON
 16 WOODALL; OFFICER RODERICK
 17 SMITH; OFFICER BARRY
 18 CHIKAYASU; SGT. MICHAEL
 19 McLAREN; TASER
 INTERNATIONAL, INC.; and DOES
 1 to 10, inclusive,
 Defendants.

) Case No.: C08-02625 RS (HRLx)
) consolidated with C 09-04410

) [*Honorable Richard Seeborg*]

) **JOINT STIPULATION TO**
) **MODIFY BRIEFING SCHEDULE**
) **RE TASER’S MOTION TO**
) **EXCLUDE TASER-RELATED**
) **MEDICAL CAUSATION**
) **OPINIONS OF DR. HARRY**
) **BONNELL; [~~PROPOSED~~] ORDER**
) **THEREON**

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 22 **IT IS HEREBY STIPULATED**, by and between the parties and through
 23 their respective attorneys of record pursuant to the Local Rules for the Northern
 24 District of California, Rule 6-2, to modify the briefing schedule regarding
 25 Defendant TASER’s Motion to Exclude TASER-Related Medical Causation
 26 Opinions of Dr. Harry Bonnell, as follows:

27 Whereas Defendant TASER International, Inc. filed a *Daubert* motion to
 28 exclude Plaintiff’s expert, Dr. Harry Bonnell, from offering TASER-related medical

1 causation testimony at trial; and

2 Whereas Defendant TASER's Daubert motion is set to be heard on
3 November 4, 2010; and

4 Whereas Plaintiffs' last day to file an opposition to Defendant TASER's
5 motion seeking to exclude areas of Dr. Bonnell's testimony is October 14, 2010;
6 and

7 Whereas Plaintiffs' expert, Dr. Bonnell is on vacation and unreachable until
8 October 18, 2010;

9 The parties hereby agree to modify the briefing schedule to allow Plaintiff
10 until and including October 22, 2010 to file an Opposition to Defendant TASER's
11 Motion to Exclude TASER-Related Medical Causation Opinions of Dr. Harry
12 Bonnell.

13 The parties hereby further agree that Defendant TASER's Reply in Support
14 of Motion to Exclude TASER-Related Medical Causation Opinions of Dr. Harry
15 Bonnell will be due October 29, 2010.

16 The parties do not believe this modified briefing schedule will affect any of
17 the other dates in this matter, including the hearing date on TASER's *Daubert*
18 motions. The parties have not previously requested a modification of the briefing
19 schedule for Defendant's Daubert motions. On August 24, 2010 this Court granted
20 the parties' stipulation continuing the filing deadline for Daubert motions from
21 August 30, 2010 to September 30, 2010 and continuing the cutoff date for filing
22 Motions for Summary Judgment from November 12, 2010 to December 12, 2010.

23
24 Dated: October 7, 2010

25 /s/ Dale K. Galipo
26 _____
27 DALE K. GALIPO
28 Attorneys for Plaintiff

1 Dated: October 8, 2010

/s/
MILDRED O'LINN, ESQ.
MANNING & MARDER
Attorney for Defendants
TASER INTERNATIONAL, INC.

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5 **PURSUANT TO STIPULATION**, good cause having been shown,

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7 **IT IS SO ORDERED.**

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9 Plaintiffs' Opposition to
10 Defendant's Motion as to
11 Dr. Bonnell:

October 22, 2010

or _____

12 Defendant's Reply in
13 Support of Motion as to
14 Bonnell:

October 29, 2010

or _____

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16
17 Dated: 10/12/10



Honorable Richard Seeborg
U.S. District Court Judge
Northern District of California