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4	Telephone: (408) 293-0463 Facsimile: (408) 293-9514					
5	E-mail: dstock@rllss.com E-mail: sreuter@rllss.com	IT IS SO ORDERED AS MODIFIED.				
6	Attorneys for Plaintiffs					
7	SCOTT HENRY and NANCY ZIMMERMA	Judge Paul e				
8	MELINDA L. HAAG (CSBN 132612)					
9	United States Attorney JOANN M. SWANSON (CSBN 88143)	PRINT OF CE				
10	Assistant United States Attorney Chief, Civil Division					
11	JUAN D. WALKER (CSBN 208008) Assistant United States Attorney					
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15	Attorneys for UNITED STATES OF AMERICA					
16	IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA					
17						
18	SAN I	OSE DIVISION				
19	SAN JOSE DI VISION					
20	COOTT HENDY INANGY	G N G 10 00770 PGG				
21	SCOTT HENRY and NANCY) ZIMMERMAN,)) Case No. C 10-00658 PSG				
22	Plaintiffs,)	STIPULATION TO CONTINUE TRIAL DATE				
23	vs.)	[PROPOSED] ORDER CONTINUING				
24	UNITED STATES OF AMERICA, and)	TRIAL DATE				
25	DOES 1 through 10, inclusive,					
	Defendants.					
26						
27		ZIMMERMAN, and Defendant UNITED STATES				
28	OF AMERICA, by and through their counsel of record, hereby stipulate as follows:					
	Case No. C 10-00658 PSG STIPULATION TO CONTIN	UE TRIAL DATE & [PROPOSED] ORDER				

ı	1.	This action was filed on February 16, 2010;				
2	2.	The trial date is currently set for February 6, 2012. There has been one prior continuance of				
3		the trial date;				
4	3.	This action is for personal injuries arising from a collision between Plaintiff's vehicle and a				
5		United	d States Postal Service vehicle;			
6	4.	Plaintiff has complained of, among other things, injuries to his back resulting from the				
7		accident;				
8	5.	On September 14, 2011, at Watsonville Community Hospital, Plaintiff Scott Henry				
9		underwent surgery on his back. Specifically, he had L4-L5 disc fusion and a cage was				
10		impla	nted at the same level. Plaintiff's	treating	physician has very recently (only last week)	
11		opined that the surgery is related to the subject motor vehicle accident;				
12	6.	Due to the following factors, the parties request a continuance of the trial date:				
13		a.	The serious nature of the surger	y;		
14		b.	The lengthy recovery time period	od;		
15		c.	Plaintiff's possible inability to	be prese	ent and participate at the upcoming trial;	
16		d.	The need for additional discover	ery, inclu	iding additional expert discovery, to assess the	
17			accuracy of the treating physici	an's opi	nion, to wit, the extent to which, if at all, the	
18		surgery is in fact related to the motor vehicle accident;				
19		e.	The need for Plaintiff's condition	on to sta	bilize in order to determine prognosis, confirm	
20			causation, and more accurately	assess w	that effect it may have on damages.	
21	7.	The parties request that the trial be continued to March 12, 2012. The parties believe that the				
22		case will be ready for trial by that time.				
23		Respectfully submitted,				
24					RANKIN LANDSNESS LAHDE SERVERIAN & STOCK	
25						
26	Dated: December 22, 2011 By:/S/					
27			,	, <u> </u>	David J. Stock Attorney for Plaintiffs	
28					HENRÝ & ZIMMERMAN	

1							
2	MELINDA L. HAAG UNITED STATES ATTORNEY						
3	Dated: December 22, 2011 By:/S/						
4	Juan D. Walker, Assistant U.S. Attorney Attorneys for Defendant						
5	UNITED STATES OF AMERICA						
6							
7	[PROPOSED] ORDER CONTINUING TRIAL DATE						
8	PURSUANT TO STIPULATION, IT IS SO ORDERED:						
9	1. Fact discovery cutoff: February 6, 2012						
10	2. Designation of Opening Experts with Reports: February 13, 2012						
11 3. Designation of Rebuttal Experts with Reports: February 20, 2012							
12 13	4. Expert Discovery Cutoff: February 27, 2012						
14	5. Deadline(s) for Filing Discovery Motions: see Civil Local Rule 37-3						
15	6. Last Day for Dispositive Motion Hearing: 10:00am on February 28, 2012						
16	7. Final Pretrial Conference: 2:00pm on March 6, 2012						
17	8. Trial: 9:30am on March 12, 2012						
18	It is further ordered that the parties shall comply with the Standing Order for Civil Practice in						
19	Cases Assigned for All Purposes to Magistrate Judge Paul S. Grewal (Dec 2010), a copy of which						
20	is available from the Clerk of the Court, with regard to the timing and content of the Joint Pretrail						
21	Statement, and all other pretrial submissions. No further continuances of the trial date will be						
22	granted.						
23							
24	DATED: December 28, 2011 PAUL S. GREWAL						
25	United States Magistrate Judge						
26							
27							
28							