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**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

KATHRYN A. NIEMEYER, individually and
 as the Representative of the Estate of
 ANTHONY NIEMEYER, MARK NIEMEYER,
 JESSICA NIEMEYER, and REBECCA NIEMEYER,

CASE NO. 09-cv-2091-JCM-PAL

**JOINT MOTION TO CONTINUE
 TRIAL SETTING**

Plaintiffs,

vs.

FORD MOTOR COMPANY,

Defendant.

COME NOW Plaintiffs and Defendant Ford Motor Company, by and through their attorneys of record, and move to continue the September 24, 2012 trial date in this matter. The parties request that the trial date be continued to October 29, 2012. As outlined below, the reason for this request is the unavailability of plaintiffs' expert Dr. Mary Case.

1 Dr. Case is plaintiffs' forensic pathologist and performed a posthumous autopsy of Mr.
2 Anthony Niemeyer. Although Dr. Case was available for the originally scheduled trial date of
3 July 23, 2012, she is not available from September 26th through October 1st – when plaintiffs
4 would need to call her in their case. As the Court is aware, cause of death is one of the hotly
5 contested issues at trial. Dr. Case's presence is crucial to plaintiffs' case.
6

7 Plaintiffs' attorneys have spoken with defendant Ford's attorneys and defendant Ford has
8 no objection to the proposed trial date of October 29, 2012.

9 Based on the foregoing, the parties request that the Court continue the trial date set in this
10 matter to October 29, 2012. Accordingly, the parties respectfully submit this joint motion for the
11 Court's consideration.
12

13
14 DATED this 27th day of July, 2012.

15 KUHLMAN & LUCAS, LLC

16 By: /s/ Chad C. Lucas
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4 DATED this 27th day of July, 2012.

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17 **Attorneys for Defendant**
18 **Ford Motor Company**

19 **ORDER**

20 IT IS SO ORDERED that the trial of this case is rescheduled to the court's
21 October 29, 2012 three-week trial stack.

22 DATED this 30th day of July, 2012.

23 
24 _____
25 UNITED STATES DISTRICT JUDGE

26 Prepared and Submitted by:

27 KUHLMAN & LUCAS, LLC

28 /s/ Chad C. Lucas
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