

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KIMBERLY A. LaGATTA,) CIVIL DIVISION
)
Plaintiff,) No: 08-1268
)
vs.)
) Chief U.S. District Judge Gary L. Lancaster
THE PENNSYLVANIA CYBER)
CHARTER SCHOOL,)
) ELECTRONICALLY FILED
Defendant.)

STIPULATED ORDER OF COURT

AND NOW, this 23rd day of November, 2010, upon consideration of Defendant's Motion to Continue Trial including related Pre-Trial Deadlines and to Reopen Discovery [Document #45], IT IS HEREBY ORDERED that said motion is GRANTED.

IT IS FURTHER ORDERED that the parties shall proceed as follows:

1. All pre-trial deadlines including Motions in Limine, proposed Voir Dire and Jury Instructions are continued pending a Court Order;

2. The Pre-Trial Conference set for December 10, 2010 is continued pending a Court Order;

3. The trial originally scheduled in this case for December 13, 2010 is continued;

4. Discovery for the Defendant **only** is reopened for sixty (60) days from the date of this Order for the limited purpose of conducting discovery into the record of Plaintiff's application for Social Security benefits and records of Plaintiff's medical diagnoses and treatment and related issues;

5. Plaintiff will provide to the Defendant's counsel within three (3) business days from the date of this Order fully executed releases allowing Defendant to obtain full and complete copies of Plaintiff's Social Security records;

6. The Court will entertain a Motion for Summary Judgment filed by the Defendant within thirty (30) after the close of discovery and will advise the Court within ten (10) days after the close of discovery whether the Defendant will or will not be filing said motion;

7. Plaintiff will have thirty (30) days to respond to the Defendant's summary judgment motion from the date the Defendant's motion is filed;

8. Defendant's alternative request for sanctions pertaining to the instant Motion to Continue Trial including related Pre-Trial Deadlines and to Reopen Discovery only are deemed moot; and

9. Defendant may file a separate Motion for Sanctions if so desired at a later time.
10. Plaintiff reserves the right to respond to any Motion for Sanctions by contending that this Order of Court is not an admission by Plaintiff that Defendant was entitled to the discovery referenced herein in the first instance.

Respectfully submitted,

STEELE LAW OFFICE

**MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN**

s/ Charles E. Steele (by consent)
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BY THE COURT:


Chief U.S. District Judge Gary L. Lancaster