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16 Attorneys for Defendants,
17 CALIFORNIA ASSOCIATION OF
18 PROFESSIONAL FIREFIGHTERS,
19 CALIFORNIA ASSOCIATION OF
20 PROFESSIONAL FIREFIGHTERS
21 LONG-TERM DISABILITY PLAN;
22 and CALIFORNIA ADMINISTRATION
23 INSURANCE SERVICES, INC.
24 and KENNETH BLANTON, DENNIS
25 CAMPANALE, GENE DANGEL, JAMES
26 FLOYD, CHARLES GLUCK,
27 BRIAN PINOMAKI, and WILLIAM
28 SOQUI, Individually and as Plan Directors

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

21 **DAVID BARBOZA,**

22 Plaintiff,

23 v.

24 **CALIFORNIA ASSOCIATION OF**
25 **PROFESSIONAL FIREFIGHTERS,**
26 et al.,

27 Defendants.

) **Case No. CIV S-08-02569 FCD GGH**
)
) **STIPULATION AND ORDER RE:**
) **MODIFICATION TO PRETRIAL**
) **SCHEDULING ORDER**

1 WHEREAS the Court issued it's Pretrial Scheduling Order on February 29, 2009, which
2 set the latest date for hearing dispositive motions as June 18, 2010;

3 WHEREAS the Court modified it's Pretrial Scheduling Order on April 27, 2010, which
4 set the last date for hearing dispositive motions as August 20, 2010;

5 WHEREAS one of Defendants' primary counsel, Louis Gonzalez, Jr., is and has been
6 preparing for trial in another case entitled *Brandi Macias v. California Law Enforcement*
7 *Association*, Alameda County Superior Court Case No. RG09430596, which is set for trial on
8 July 23, 2010 at 9:30 a.m. in Department 510 of the Alameda County Superior Court;

9 WHEREAS Defendants' other primary counsel, W. Scott Cameron, was activated for
10 military duty and has been out of the office extensively over the past two months and continues
11 to be performing active military duty;

12 WHEREAS Mr. Cameron believed he could handle this matter given his initial duties
13 when re reported for active duty;

14 WHEREAS a recent reassignment of the military duties of W. Scott Cameron has
15 prevented him from working on this matter;

16 WHEREAS one of Defendants' remaining counsel, Brendan J. Begley, only began
17 working for Weintraub Genshlea Chediak on July 12, 2010, and was assigned to work on this
18 matter on the evening of July 20, 2010, as a result of the unexpected reassignment of W. Scott
19 Cameron's military duties;

20 THEREFORE, THE PARTIES STIPULATE that, pursuant to Federal Rule of Civil
21 Procedure 16(b)(4), good cause exists for modifying the Court's Pretrial Scheduling Order to
22 continue to the next available law and motion date of September 10, 2010, the deadline to hear
23 defendants' motion for summary judgment or adjudication and, correspondingly, to continue by
24 one week the deadline to file such a motion. Therefore, the last date to hear the parties' motions
25 for summary judgment or adjudication should be changed to September 10, 2010, and the last
26 day for Defendants to file a motion for summary judgment or summary adjudication will be
27 July 30, 2010. The parties do not anticipate that this change will necessitate a change to the trial
28 date and/or final pretrial conference in this matter. Should these changes necessitate a change to

1 the date of the trial and/or final pretrial conference in this matter, the parties stipulate that the
2 anticipated resolution of at least some of the issues to be decided warrant such change.

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Dated: July 22, 2010

LAW OFFICE OF GEOFFREY V. WHITE

By: /S/ Geoffrey V. White (authorized 7/22/10)
Geoffrey V. White,
Attorney for Plaintiff
DAVID BARBOZA

Dated: July 22, 2010

WEINTRAUB GENSHLEA CHEDIAK

By: /S/ Brendan J. Begley
Brendan J. Begley
Attorneys for Defendants
CALIFORNIA ASSOCIATION OF
PROFESSIONAL FIREFIGHTERS,
CALIFORNIA ASSOCIATION OF
PROFESSIONAL FIREFIGHTERS
LONG-TERM DISABILITY PLAN;
CALIFORNIA ADMINISTRATION
INSURANCE SERVICES, INC., KENNETH
BLANTON, DENNIS CAMPANALE, GENE
DANGEL, JAMES, FLOYD, CHARLES
GLUCK, BRIAN PINOMAKI and WILLIAM
SOQUI.

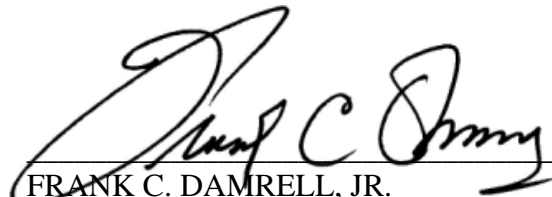
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ORDER

As it appears that the parties are working diligently to resolve issues and streamline the issues in this matter and Defendants have been unable, despite their best efforts, to complete their dispositive motions, the Court finds that good cause exists for modifying its Pretrial Scheduling Order as follows:

IT IS SO ORDERED that the Pretrial Scheduling Order shall be amended to extend the last date to hear the parties' motions for summary judgment or adjudication to September 10, 2010, and the last day for Defendants to file a motion for summary judgment or summary adjudication will be July 30, 2010.

DATE: July 23, 2010


FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE