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UNITED STATES DISTRICT COURT
 EASTERN DISTRICT

20 KIMBERLY SUE BIRD,
 21 Plaintiff,
 22 v.
 23 WELLS FARGO BANK., a California
 24 Corporation, and Does I-XX, inclusive
 25 Defendants.

Civil Case No. 1:16-CV-01130-DAD-EPG

**STIPULATION TO CONTINUE
 FURTHER MANDATORY
 SETTLEMENT CONFERENCE TO
 NOVEMBER 3, 2017 AT 10:00 AM;
 ORDER**

(Doc. 85)

1 WHEREAS on September 13, 2017, The Honorable Shelia K. Oberto held a
2 telephonic conference with counsel for the parties and thereafter set a Further
3 Mandatory Settlement Conference for October 18, 2017 at 11:00 A.M. (ECF 80);

4 WHEREAS Defendant's representative Crystal Silva, Esq., who is intimately
5 involved in this case, attended the initial Mandatory Settlement Conference, and is
6 necessary for effective discussion at the Further Mandatory Settlement Conference, is
7 unavailable on October 18, 2017 because she must attend mediation on that same day in
8 another matter in San Francisco;

9 WHEREAS Ms. Silva's San Francisco mediation was scheduled before Judge
10 Oberto issued her order on September 13, 2017;

11 WHEREAS Ms. Silva has made reasonable attempts to make herself available
12 on October 18, 2017, but ultimately cannot do so;

13 WHEREAS Defendant's counsel and Plaintiff's counsel met and conferred on
14 this issue and given the importance of Ms. Siva's attendance, agreed to request a
15 continuance of the Further Mandatory Settlement Conference to an alternative date that
16 will work for all Parties, counsel, and the Court;

17 WHEREAS the Defendant's counsel confirmed with Judge Oberto's Clerk that
18 Judge Oberto is available to conduct the Further Mandatory Settlement Conference on
19 November 3, 2017 at 10:00 A.M.;

20 WHEREAS the Parties and their counsel are available to attend the Further
21 Mandatory Settlement Conference on November 3, 2017 at 10:00 A.M.;

22 WHEREAS the Parties have continued to meet and confer on a possible informal
23 resolution of this matter since the initial Mandatory Settlement Conference; and,

24 WHEREAS, this Stipulation is made in good faith and is not made to delay these
25 proceedings or for any other improper purpose.

26 **THEREFORE**, the Parties hereby stipulate and agree as follows:

27 1. That the Further Mandatory Settlement Conference, currently scheduled
28 to commence on October 18, 2017 at 11:00 A.M, be continued to November 3, 2017 at
10:00 A.M.

