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Attorneys for Defendants
Brusco Tug Barge and
Dutra Materials, incorrectly sued
herein as The Dutra Group

E-Filing

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN D. HIGGINS, JR.,)
)
Plaintiff,)
)
v.)
)
BRUSCO TUG AND BARGE AND THE)
DUTRA GROUP,)
Defendants.)
_____)

Case No.: 2:08-CV-02300-WBS-KJM

**STIPULATION AND
(PROPOSED) ORDER TO REFER
CASE FOR FURTHER PRIVATE
MEDIATION**

**Date: Monday July 27, 2009
Time: 2:00 P.M.
Judge: Hon. William Shubb**

The parties to the above-entitled action hereby stipulate to further mediation with private mediator Steven Rosenberg [Telephone: (415) 383-5544; www.rosenbergmediation.com], who has agreed to continue to mediate this matter. Before the next mediations session, the parties have agreed that the plaintiff will provide additional documentation supporting his claims for economic losses. In addition the parties have agreed to take the deposition of the plaintiff's primary treating physician in an effort to facilitate the continued mediation process. The parties request that the next conference be set for 90 days to complete the additional mediation efforts.

RESPECTFULLY SUBMITTED,

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NAV.Higgins/2675

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Dated: July 22, 2009

COX, WOOTTON, GRIFFIN,
HANSEN & POULOS, LLP
Attorneys for Defendants
Brusco Tug and Barge and The Dutra Group

By: _____ /S/
Richard C. Wootton

Dated: July 22, 2009

LAW OFFICES OF DANIEL RAY BACON
Attorney for Plaintiff JOHN D. HIGGINS JR.

By: _____ /S/
Daniel R. Bacon

ORDER

This case is referred for further private mediation before Steven Rosenberg. The mediation is set to occur by September 21, 2009. If the case settles by mediation the parties are ordered to advise the court immediately of the settlement pursuant to Local Rule 16-160. If the case does not settle at mediation then the next scheduling conference is set for October 19, 2009 at 2:00 p.m.

DATED: July 22, 2009

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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