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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Case No. 04-CV-03955 SC

NGV GAMING, LTD., a Florida
partnership,

Plaintiff,

vs.

HARRAH'S OPERATING COMPANY,
INC., a Delaware corporation,

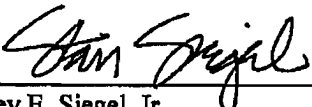
Defendant.

**JOINT MOTION AND STIPULATION
TO EXTEND MEDIATION DEADLINE
TWELVE BUSINESS DAYS UNTIL
DECEMBER 8, 2009**

1 **JOINT MOTION AND STIPULATION TO EXTEND MEDIATION DEADLINE**
2 **TWELVE BUSINESS DAYS UNTIL DECEMBER 8, 2009**

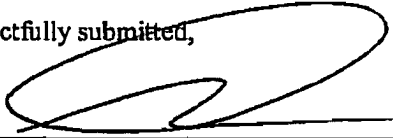
3 Under the Court's current scheduling order, private mediation in this case is scheduled to
4 be completed by November 20, 2009. *See D.I. No. 187.* On September 23, 2009, the Court
5 ordered that the mediation be personally attended by Alan Ginsburg, Plaintiff's CEO, and Gary
6 Loveman, Defendant's CEO. *See D.I. No. 262.* Since the issuance of the Court's September 23,
7 2009 Order, the parties have been working diligently between themselves to get the private
8 mediation ordered by the Court scheduled. Despite the best efforts of the parties, their counsel,
9 their principals (including CEOs Alan Ginsberg and Gary Loveman), and the mediator Paul A.
10 Finn of Commonwealth Mediation, the first date that the necessary constituents all are jointly
11 available is Tuesday, December 8, 2009. The parties therefore respectfully request that the
12 mediation deadline be postponed by twelve business days until that date. The parties have
13 already reserved this date with Mr. Finn, the respective CEO's and the attorneys, and have agreed
14 on a location. The proposed deadline coincides with the discovery deadline in this case and is
15 two months before the scheduled trial date. As such, the parties do not believe that this modest
16 extension will affect any other aspect of the case. Moreover, by allowing the continuance it will
17 be assured that all necessary constituents to the litigation will be present at the mediation, which
18 will maximize the likelihood of negotiating a settlement of the case.
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Respectfully submitted,



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Attorneys for Defendant
Harrah's Operating Company

Attorneys for Plaintiff
NGV Gaming, Ltd.

*in case # 04-CV-3955 SC
Northern Dist. of Calif. re
Extend deadline.*

ORDER

The parties Joint Motion is hereby GRANTED. Private mediation shall be completed by
December 8, 2009.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: Oct 9/09

Samuel Conti
Honorable Samuel Conti
UNITED STATES DISTRICT JUDGE

*no further extensions
will ^{be} granted. SC*

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Joint Motion and Stipulation to Extend Mediation Deadline Twelve Business Days Until December 8, 2009

No. C-04-3955 (SC)