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5 *Counsel for Spaulding*

6 **IN THE UNITED STATES DISTRICT COURT**  
 7 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

8 ESTATE OF VIOLA B. SPAULDING,  
 9 *et al.*,

Case No. C 08-00672

10 *Plaintiffs,*

STIPULATION AND [PROPOSED]  
 ORDER RE VACATION OF REFERRAL  
 TO COURT CONNECTED MEDIATION

11 v.

12 YORK CLEANERS, INC., *et al.*

13 *Defendants.*

14 AND RELATED COUNTERCLAIMS,  
 15 CROSS-CLAIMS, AND THIRD-  
 PARTY CLAIMS

16  
 17 WHEREAS the parties to this action were initially ordered to mediation through  
 18 the Court’s ADR program.

19 WHEREAS at the case management conference the Court suggested that the  
 20 parties use a private mediator experienced in environmental matters.

21 WHEREAS the parties have retained Lester Levy of JAMS as a private mediator  
 22 as reported to the Court in a letter dated September 19, 2008.

23 WHEREAS the parties will engage in mediation with Mr. Levy on December 3,  
 24 2008.

25 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES, BY AND  
 26 THROUGH THEIR UNDERSIGNED COUNSEL, THAT:

- 27 1. The parties will proceed with private ADR in lieu of the Court’s ADR  
 28



1 program and should be removed from the Court ADR program docket.

2 IT IS SO STIPULATED:

3 DATED: October 8, 2008

PALADIN LAW GROUP® LLP

4  
5 By: \_\_\_\_\_ /S/  
6 Bret A. Stone  
7 Counsel for Spaulding

8 DATED: October 8, 2008

COX, WOOTTON, GRIFFIN, HANSEN &  
POULOS LLP

9  
10 By: \_\_\_\_\_ /S/  
11 Gregory W. Poulos  
12 Counsel for David Victor Lewis and York  
13 Cleaners, Inc.

14 DATED: October 8, 2008

SEDGWICK, DETERT, MORAN & ARNOLD  
LLP

15  
16 By: \_\_\_\_\_ /S/  
17 Robert N. Berg  
18 Counsel for Martin Franchises, Inc.

19 DATED: October 8, 2008

GORDON & REES LLP

20  
21 By: \_\_\_\_\_ /S/  
22 P. Gerhardt Zacher  
23 Counsel for Cooper Industries, LLC

24 IT IS SO ORDERED, ADJUDGED AND DECREED:

25 DATED: October 10, 2008

26  
27  
28 United States District Court

