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7			
8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10			
11	DERRICK ROSS,	) CASE NO. C-08-00854-TEH	
12	Plaintiff,	STIPULATION AND APPLICATION RE: RESCHEDULING CASE	
13	vs.	) MANAGEMENT CONFERENCE AND ADR DEADLINE; TROPOSED	
14 15	INDEPENDENT LIVING RESOURCE OF CONTRA COSTA COUNTY, a California Corporation,	ORDER]	
16	Defendant.	Complaint Filad, Fahmany 9, 2009	
17	——————————————————————————————————————	<ul><li>Complaint Filed: February 8, 2008</li><li>Trial Date: None Set</li></ul>	
18	CTIDLIL ATION AND ADDITION		
19	STIPULATION AND APPLICATION WHEREAS,		
20	WILLIAM,		
21	1. The court held a second Case Management Conference on January 12, 2009, and		
22	set the following hearings/deadlines:		
23			
24	Further CMC: March 16, 2009, at 1:30 p.m.		
25	Last day to complete mediation: March 6, 2009		
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27			
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		STIPULATION AND APPLICATION RE RESCHEDULING CASE MANAGEMENT CONFERENCE AND ADR DEADLINE;	

[PROPOSED ORDER]

2. The parties have engaged in some written discovery, and Plaintiff has conducted the deposition of Eli Gelardin, former acting executive director of the Defendant, but as of the date of this application the parties have not yet completed discovery.

- 3. The parties had planned on a mediation before March 6, 2009, but Defendant was unable to comply with this deadline because of conflicting schedule commitments. Defendant has requested that the schedule be adjusted so that the matter is mediated during the week of April 13, 2009, the mediation completion deadline is extended to April 17, 2009, and the CMC be rescheduled to April 27, 2009 at 1:30 p.m.
- 4. The parties further agree that the date of the mediation shall be at a mutually agreeable date during the week of April 13, 2009 with Henry Hewitt, the mediator assigned by this Court. If no such date can be arranged that week with Mr. Hewitt, the parties agree to Charles Farnsworth as mediator, and if no such date can be arranged with Mr. Farnsworth, the parties agree to the Honorable Ellen James, Ret. as mediator. Defendant shall bear any mediation fees of Mr. Farnsworth or Judge James.
- 5. All parties hereto therefore stipulate, through their respective attorneys of record herein, to the extensions of time requested in this application, and hereby respectfully ask this court to continue the next case management conference in this case, and to re-set the last day for completion of mediation, as set forth below, or as the court determines.
  - 5. As ordered by the court the <u>current</u> scheduling of these matters is as follows:

3/16/09 Second Case Management Conference (1:30 p.m.)

3/6/09 Currently scheduled last day to complete mediation

6. In order to save great time and expense for the parties and for the court as well, and in the interests of justice, so that both parties to this suit can make mutually acceptable arrangements for the date of mediation, at the request of Defendant, and with agreement by Plaintiff, the parties ask the court to re-set the hearing and deadline mentioned above as follows:

1		
2	4/27/09 Nev	v date for Third Case Management Conference (1:30 p.m.)
3	4/17/09 Nev	v date for last day to complete mediation
4		
5	The above is SO S	TIPULATED.
6		
7	DATED: March 9, 2009	LAW OFFICES OF SOHNEN & KELLY
8		
9		//S// HARVEY SOHNEN
10		Attorneys for Plaintiff DERRICK ROSS
11		
12	DATED March 0 2000	EADDCTEINI ( DI ACUMANI ADC
13 14	DATED: March 9, 2009	FARBSTEIN & BLACKMAN, APC
15		//S//
16		JOHN S. BLACKMAN <sup>1</sup>
17		Attorneys for Defendant INDEPENDENT LIVING RESOURCE OF CONTRA COSTA COUNTY, INC.
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19		
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22		
23	[Order to follow on next page]	
24	Cruer to follow on next	pagej
25		
26	As the e-filer, I attest that each of the signatories hereto has concurred in the filing	
27	of this document.	
28		3 STIPULATION AND APPLICATION RE
		RESCHEDULING CASE MANAGEMENT CONFERENCE AND ADR DEADLINE;

[PROPOSED ORDER]

Good cause appearing therefor, the court orders changes to the scheduling in this case as follows:  New date for Second Case Management Conference:  May 11, 2009 at 1:30 p.m.  New last date to complete mediation:  April 17, 2009  DATED:  DATED:  DATED:  DATED:  DISTRICTORE. HENDERS ADJUDGE  Thelton E. Henderson  Judge Thelton E. Henderson  JUDGE  April 27, 2009, at 1:30 p.m.  April 17, 2009  The Tron E. Henderson  JUDGE  Thelton E. Henderson	1	<u>ORDER</u>
New date for Second   Case Management Conference:   April 27, 2009, at 1:30 p.m.	2	Good cause appearing therefor, the court orders changes to the scheduling in this
New date for Second Case Management Conference:    April 27, 2009, at 1:30 p.m.	3	case as follows:
Case Management Conference:   April 27, 2009, at 1:30 p.m.	4	
[or: May 11, 2009 at 1:30 PM	5	
New last date to complete mediation:   April 17, 2009	6	Mars 11, 2000 at 1,20 DM
9 New last date to complete mediation:    April 17, 2009	7	[01:]
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11   12   13   DATED:	9	New last date to complete mediation: April 17, 2009
12   DATED: 03/10/09   HELTON E. HENDERSON   TOTAL UDGE   HELTON E. Henderson   Henderson	10	[or:]
DATED: 03/10/09  14  15  16  17  18  19  20  21  22  23  24  25  26  27	11	
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