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E-filing

Original
FILED
3/24/08
Richard W. Wieking
Clerk, U.S. District Court
Northern District of California
San Francisco

5 Attorney for Plaintiffs

ADR

8 UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA

9 THE FAMILY OF SAMUEL SHULL: Linda
Rines Shull, Samuel J. Shull, Jr., Jennifer Shull,
10 Cameron Rines-Caban, Jacob A. Rines-Caban,
Nathan Shull, Soaring Eagle (LeeAnn) Rines,
11 Casey Shull, Alberta Rines and Willie Smith,

No. C08-01601 JL

**FURTHER STIPULATION RE ADR;
~~(Proposed)~~ ORDER THERON**

12 Plaintiffs,

13 vs.

14 Keystone America, Inc., dba Jones and Lewis
Clear Lake Memorial Chapel, and DOES 1-100,

ACTION FILED: 3/24/08
TRIAL DATE: NOT ASSIGNED

15 Defendants.

17 STIPULATION

18 WHEREAS:

19 1. The parties initially stipulated to Mediation, then agreed that a Magistrate
20 Judge Settlement Conference would offer more promise of settlement, and obtained an Order by
21 stipulation changing the ADR to Magistrate Judge Settlement Conference.

22 2. However, recent events have caused the parties to agree that:

23 a. A Magistrate Judge Settlement Conference would not be
24 productive, and would therefore be an unjustified use of a Magistrate Judge's time, because the
25 parties are too far apart (in fact, much further apart than they had imagined) for a settlement
26 conference of any kind to bridge the gap; and

1 IT IS HEREBY ORDERED that:

2 1. The currently scheduled Magistrate Judge Settlement Conference and
3 preceding scheduling shall be, and it hereby is, vacated;

4 2. The case shall be, and it hereby is, referred for Early Neutral Evaluation;

5 3. The Case Management Conference currently scheduled for May 6, 2009,
6 shall be, and it hereby is, ~~vacated, and~~ continued to June 24, 2009 at 10:30 a.m.

7 4. Trial is set for (to be determined).

8 DATED: April 20, 2009

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12 James Larson, Magistrate Judge
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