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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES,

No. C 08-2726 WDB

Plaintiff,

ORDER FOLLOWING NOVEMBER
24, 2008, CASE MANAGEMENT
CONFERENCE

v.

FORD MOTOR COMPANY, et al.

Defendant.

On November 24, 2008, the parties appeared for a Further Case Management Conference. The Initial Case Management Conference ("CMC") in this action was held by Judge Wilken on September 16, 2008. Subsequently, the parties consented to Magistrate Judge jurisdiction and the case was transferred to Magistrate Judge Brazil. The parties confirmed on the record in the CMC before the undersigned that, in their view, the dates set forth in the minute order following the case management conference before Judge Wilken should remain generally intact.

In their Joint Case Management Statement and on the record during the CMC, the parties indicated that they were amenable to attempting to resolve this action through private mediation. Accordingly, the Court now ORDERS that by the end of March, 2009, the parties must attend a mediation or some other type of formal settlement process. The Court encouraged the parties to use the time leading up to the mediation to disclose material information and documents to one another and to undertake any surgical discovery that is necessary to have a productive mediation. Specifically, **by no later than December 12,**

1 **2008**, counsel for Plaintiff must provide their initial expert report about potential damages
2 to counsel for Defendants.

3 If the parties are not able to resolve the case through mediation or other settlement
4 process, they must appear before the undersigned on **Tuesday, April 14, 2009, at 1:30 p.m.**,
5 for a further case management conference. Counsel may appear by telephone for the
6 conference by notifying the undersigned's administrative law clerk **by no later than April**
7 **10, 2009**, at (510) 637-3324.

8 **By no later than Friday, April 10, 2009, at noon**, the parties must file a Further
9 Joint Case Management Statement that describes the discovery that has taken place and
10 suggests a specific case development plan and schedule. The parties must not include in this
11 Statement any information about the substance of their settlement negotiations.

12 If the matter settles before April 14, 2009, the parties must promptly prepare and file
13 dismissal papers and notify the Court by calling (510) 637-3324.

14 IT IS SO ORDERED.

15 Dated: November 25, 2008

16 
17 WAYNE D. BRAZIL
18 United States Magistrate Judge