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CODE SECTION 6103

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 11 **MARK A. JONES, State Bar #96494**
 12 **KRISTEN K. PRESTON, State Bar #125455**

13 Attorneys For: Defendant County of Napa and Napa County Board of Supervisors

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

11 DAVID D. WESNER, JANICE L. WESNER and
 12 DON WESNER, INC.

13 Plaintiffs,

14 vs.

15 COUNTY OF NAPA and NAPA COUNTY
 16 BOARD OF SUPERVISORS,

17 Defendants.

) NO. CV 08 3377 JSW
)
) **STIPULATION AND ORDER**
) **EXTENDING TIME FOR**
) **COMPLETION OF ENE**
)
) Date: January 6, 2009
) Time: 9:30 a.m.
) Location: 350 California Street, 22nd Flr.
) San Francisco, CA
) Evaluator: Brian S. Haughton
)

18 IT IS HEREBY STIPULATED AND AGREED UPON by the parties and their respective
 19 counsel of record that the deadline to complete the Early Neutral Evaluation in this matter may be
 20 extended, upon court approval, for a period of 30 days, to February 10, 2009. The parties hereto
 21 request that the court issue an order, pursuant to this stipulation, that the deadline for completion of
 22 the ENE be continued from January 6, 2009 to February 6, 2009. The parties have diligently
 23 proceeded with the case and filed their Joint Case Management Conference Statement for the
 24 conference scheduled for January 16, 2009. The Early Neutral Evaluation was tentatively scheduled
 25 for January 6, 2009, within the initial cutoff date, but the Risk Manager for the County of Napa, an
 26 essential party to the ENE session, is required to attend out of county Emergency Services training
 27 during the entire week of January 5, 2009. The parties have completed their ENE statements and
 28 have served those statements on each other and on the Evaluator, Brian S. Haughton. Mr. Haughton

STIPULATION AND ORDER EXTENDING TIME FOR ENE COMPLETION DATE

1 has no objection to the brief extension to complete the ENE.

2 The parties are in the process of rescheduling the ENE, and would expect that the session will
3 be completed by the third week in January. The parties request a 30 day extension to ensure that
4 the ENE will be completed no later than the new date set by the court.

5 Accordingly, the parties request that the present date to complete Early Neutral Evaluation,
6 January 6, 2009, be extended to February 6, 2009.

7 DATED: December 22, 2008.

8 /s/ Frear Stephen Schmid
9 FREAR STEPHEN SCHMID
10 Attorneys for Plaintiffs David D. Wesner, Janice L.
11 Wesner and Don Wesner, Inc

11 DATE: December 22, 2008.

JONES & DYER

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13 By: /s/ Mark A. Jones
14 MARK A. JONES
15 KRISTEN K. PRESTON
16 Attorneys for Defendants County of Napa and
17 Napa County Board of Supervisors

18 **ORDER**

19 Based upon the stipulation of the parties and good cause appearing therefor,

20 IT IS ORDERED that the present date for completion of the Early Neutral Evaluation,
21 January 6, 2009, be and hereby is extended 30 days such that the last date for completion of the Early
22 Neutral Evaluation shall be February 6, 2009.

23 DATE: December 22, 2008

24 
25 HON. JEFFREY S. WHITE, Judge