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11 Attorneys for Plaintiff  
 SONY COMPUTER ENTERTAINMENT AMERICA INC.

12  
 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO DIVISION

16 SONY COMPUTER ENTERTAINMENT  
 AMERICA INC., a Delaware Corporation,

17 Plaintiff,

18 v.

19 GABRIEL GARCIA a/k/a GABRIEL GARCIA  
 20 PALACIOS, an individual, d/b/a GABE'S  
 REPAIR/HOME NETWORKING AND  
 21 VIDEO GAME MOD SERVICE; TIMOTHY  
 JOEY ZOUCHA, JR., an individual; DOES 1-  
 22 20 inclusive,

23 Defendants.

Case No. C 08-03954 SI

**STIPULATION AND [PROPOSED]  
 ORDER TO EXTEND MEDIATION  
 DEADLINE**

Hon. Susan Illston

1 On February 27, 2009, the Court granted the parties' stipulation to extend the deadline for  
2 completion of mediation by May 20, 2009. Since that time, Plaintiff Sony Computer Entertainment  
3 America Inc. ("SCEA"), Defendant Gabriel Garcia ("Defendant Garcia") and Defendant Timothy  
4 Zoucha ("Defendant Zoucha") have made significant progress toward resolution of the action. SCEA  
5 and Defendant Zoucha have tentatively resolved the matter between them and are finalizing the terms  
6 of settlement. SCEA and Defendant Garcia have actively engaged in settlement negotiations, and  
7 have participated in a telephone conference with Ellen Beilock, the mediator assigned to the case, to  
8 discuss the scheduling of mediation.

9 Due to scheduling issues and because the parties are close to resolving the action, SCEA and  
10 Defendant Garcia request that the deadline for mediation be extended for another 30 days, up until  
11 June 20, 2009. SCEA and Defendant Garcia have notified the mediator of their request.

12 SCEA and Defendant Garcia have made one prior request to extend the deadline for mediation  
13 until May 20, 2009. This request is sought for good cause and will not alter any other dates set at the  
14 Initial Case Management Conference. Accordingly, SCEA and Defendant Garcia respectfully request  
15 that the Court approve the 30 day extension of the mediation deadline, up and until June 20, 2009.  
16

17 DATED: May 19, 2009

Respectfully submitted,

TOWNSEND AND TOWNSEND AND CREW LLP

19 By: /s/ Holly Gaudreau  
20 JAMES G. GILLILAND, JR.  
21 TIMOTHY R. CAHN  
HOLLY GAUDREAU

22 Attorneys for Plaintiff  
23 SONY COMPUTER ENTERTAINMENT AMERICA INC.

24 THE FARROW LAW FIRM

25  
26 DATED: May 19, 2009

By: /s/ Carver Clark Farrow  
CARVER CLARK FARROW, II

27 Attorneys for Defendant  
28 GABRIEL GARCIA

**GENERAL ORDER ATTESTATION**

1  
2 I, Holly Gaudreau, am the ECF user whose ID and password are being used to file this  
3 STIPULATION AND [PROPOSED] ORDER TO EXTEND MEDIATION DEADLINE. In  
4 compliance with General Order 45, X.B., I hereby attest that Carver Clark Farrow, II has concurred in  
5 this filing.

6  
7 /s/ Holly Gaudreau  
HOLLY GAUDREAU

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**PURSUANT TO STIPULATION, IT IS SO ORDERED.**



DATED: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Susan Illston  
United States District Court Judge

61933486 v1

**PROOF OF SERVICE**

[C.C.P. §§ 1011 and 1013, C.R.C. § 2008, F.R.C.P. Rule 5, F.R.A.P. 25]

I declare that I am employed in the City and County of San Francisco, California; I am over the age of 18 years and not a party to the within action; my business address is Two Embarcadero Center, Eighth Floor, San Francisco, California 94111. On the date set forth below, I served a true and accurate copy of the document(s) entitled: **STIPULATION AND [PROPOSED] ORDER TO EXTEND MEDIATION DEADLINE** on the party(ies) in this action by placing said copy(ies) in a sealed envelope each addressed as follows:

Carver Clark Farrow, II  
The Farrow Law Firm, PC  
3031 Tisch Way, Suite 500  
San Jose, CA 95128  
*Attorney for Gabriel Garcia a/k/a Gabriel Garcia Palacios*

Timothy Joey Zoucha, Jr.  
228 – 36<sup>th</sup> Avenue, Apt. B  
San Mateo, CA 94403

Mediator

Ellen Beilock, Esq.  
TechADR  
222 Kearny Street, Seventh Floor  
San Francisco, CA 94108-4521  
Telephone: 415-677-0880  
Fax: 415-676-3165

[By First Class Mail] I am readily familiar with my employer's practice for collecting and processing documents for mailing with the United States Postal Service. On the date listed herein, following ordinary business practice, I served the within document(s) at my place of business, by placing a true copy thereof, enclosed in a sealed envelope, with postage thereon fully prepaid, for collection and mailing with the United States Postal Service where it would be deposited with the United States Postal Service that same day in the ordinary course of business.

[By Overnight Courier] I caused each envelope to be delivered by a commercial carrier service for overnight delivery to the offices of the addressee(s).

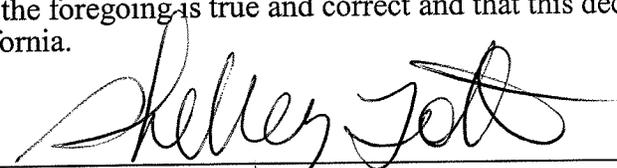
[By Hand] I directed each envelope to the party(ies) so designated on the service list to be delivered by courier this date.

[By Facsimile Transmission] I caused said document to be sent by facsimile transmission to the fax number indicated for the party(ies) listed above.

[By Electronic Transmission] I caused said document to be sent by electronic transmission to the e-mail address(es) indicated for the party(ies) listed above.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this date at San Francisco, California.

Dated: May 19, 2009

  
\_\_\_\_\_  
Shelley Lott

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