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14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16 RODNEY PLATZER,
 17 Plaintiff,

18 v.

19 HENRY SCHEIN, INC.,
 20 Defendant.

Case No. 3:08-cv-04907-SI

STIPULATION AND ORDER RE:
 CONTINUATION OF MEDIATION DATE
 AND DISCOVERY CUT-OFF

22
 23 The parties, through their respective counsel, seek to amend the Court-ordered
 24 deadline to complete mediation in this matter. Accordingly, the parties stipulate that:

25 1. On October 27, 2008, Plaintiff Rodney Platzer filed a civil action United
 26 States District Court, Northern District of California.

27 2. Plaintiff alleges, inter alia, gender orientation and age discrimination.
 28 Defendant denies all such allegations.

(CASE NO. 3:08-CV-04907-SI)

1 3. The Court ordered, in consultation with the parties, at the conclusion of a Case
2 Management Conference on January 30, 2009, that the parties complete mediation on or before
3 November 20, 2009.

4 4. The parties agreed that mediation would be more effective if certain witnesses
5 are deposed prior to the mediation deadline. The parties further agreed that the Plaintiff had
6 scheduling conflicts which made it impossible for those depositions, several of which were to occur
7 out of state, to occur prior to the initial November 20, 2009 deadline.

8 5. On November 3, 2009 the parties requested an extension of the mediation
9 deadline. The court ordered the requested extension on November 4, 2009. Currently, mediation is set
10 for December 18, 2009.

11 6. On October 26, 2009 Defendant's counsel's, Daniel Cravens, father suffered a
12 heart attack and has been hospitalized in critical condition, requiring Mr. Cravens to take two weeks
13 leave. Mr. Cravens' father is expected to be hospitalized for at least another month.

14 7. To compound this issue, Mr. Cravens has a trial scheduled for February 8,
15 2010 in an unrelated matter. The discovery cutoff in this case is December 7, 2009. As such, much of
16 Mr. Cravens time through out November and early December was used to reschedule the depositions
17 he was unable to attend in the February 8, 2010 case.

18 8. Furthermore, on November 16, 2009 Plaintiff's counsel, Rayma Church,
19 began trial in an unrelated matter. Ms. Church's trial is currently ongoing and anticipated to last until
20 December 4, 2009, but may continue into the next week. As a result of her trial, Mr. Church has been
21 unavailable since Mr. Cravens' return.

22 9. Due to the above issues, the parties have been unable to set the depositions
23 necessary for effective mediation of this case.

24 10. The discovery cut off for this case is currently set for January 29, 2010. The
25 parties agree that it will be impossible to take the remaining deposition prior to that date and hereby
26 stipulate to and request that:

27 a. Non-Expert discovery cut-off be moved to March 5, 2009
28

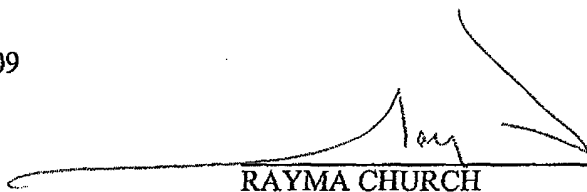
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- b. Last day to file Motion to Compel Discovery be moved to March 16, 2009
- c. Last day to file Dispositive Motions be moved to March 19, 2009
- d. Last day to file Opposition to Dispositive Motions Due be moved to April 2, 2010
- e. Last day to file Reply to Dispositive Motions be moved to April 9, 2010
- f. Hearing on Dispositive Motions be moved to April 23, 2010

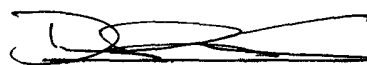
The other Court ordered deadlines shall remain as previously ordered.

Respectfully submitted,

Dated: November 30, 2009


RAYMA CHURCH
EMERSON, COREY, SORENSEN,
CHURCH & YOHMAN
Attorneys for Plaintiff,
RODNEY PLATZER

Dated: November 30, 2009


DANIEL J. CRAVENS
LITTLER MENDELSON
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Attorneys for Defendant
HENRY SCHEIN, INC.

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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UNITED STATES DISTRICT COURT

Dated: _____

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