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15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA  
 17 SAN FRANCISCO DIVISION

18 UNITED STATES OF AMERICA, )  
 19 )  
 20 Plaintiff, )  
 21 )  
 22 v. )  
 23 )  
 24 BRADLEY MINING CO., )  
 25 )  
 26 Defendant. )  
 27 )  
 28 )

Civil No. C 3:08-cv-05501 TEH  
**STIPULATION FOR STAY  
 AND  
~~PROPOSED~~ ORDER**

1 IT IS HEREBY STIPULATED by Plaintiff, the United States of America,  
2 on the one hand, and Defendant, Bradley Mining Company, on the other hand,  
3 that: (1) all proceedings in this matter, with the exception of mediation-related  
4 proceedings, be stayed until the Initial Case Management Conference, which is  
5 currently scheduled for April 20, 2009 at 1:30 p.m.; and (2) the United States'  
6 response to the counterclaims is not due until June 19, 2009, 60 days after the  
7 continued Initial Case Management Conference.

8 The parties respectfully submit that good cause exists for staying  
9 proceedings in this matter, as follows:

10 1. In a Stipulation filed with this Court on January 13, 2009, Plaintiff  
11 and Defendant in this case agreed to participate in mediation in an attempt to settle  
12 this matter before any further litigation is required.

13 2. This case will be mediated alongside Case No. 3-08-CV-03968, in  
14 which Martin Quinn, Esq., of JAMS, has been appointed as Mediator.

15 3. Resolution of the United States' claims and Defendants'  
16 counterclaims through mediation would serve to reduce litigation expenses for the  
17 parties and would also preserve the Court's resources.

18 The parties agree that they will provide a joint report to the Court on case  
19 status, prospects of settlement, and case management scheduling, if needed, by  
20 March 20, 2009. The parties have submitted a proposed Order concurrently with  
21 this Stipulation.

22 I attest that concurrence in the filing of this Stipulation has been obtained by  
23 Mr. Wactor.

24 Dated: January 13, 2009

25 /s/ Sean Carman  
26 SEAN CARMAN  
27 LOREN REMSBERG  
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1 Dated: January 13, 2009

2 /s/ Jon Wactor  
3 Jon Wactor  
4 Wactor & Wick LLP  
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8 Fax: (510) 465-5697  
9 Attorney for Defendant Bradley Mining Co.

10 ~~PROPOSED~~ ORDER

11 GOOD CAUSE APPEARING, IT IS ORDERED that:

- 12 (1) all proceedings in this matter, with the exception of mediation-related
- 13 proceedings, shall be stayed until the continued Initial Case Management
- 14 Conference;
- 15 (2) the United States' response to the counterclaims is not due until 60 days
- 16 after the continued Initial Case Management Conference; and
- 17 (3) the parties shall provide a joint report to the Court on case status, prospects
- 18 of settlement, and case management scheduling, if needed, by March 20,
- 19 2009.

20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

21 Dated: 01/16/09

