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17  
 18 UNITED STATES DISTRICT COURT  
 19 NORTHERN DISTRICT OF CALIFORNIA

20 ROBERT McINTOSH and MARCI SILVER, Case No. C-08 05555 (JL)  
 21 Plaintiffs, STIPULATION TO EXTEND  
 22 v. DEADLINE TO COMPLETE  
 23 CITY OF HAYWARD, et al., MEDIATION; ~~(PROPOSED)~~ ORDER  
 24 Defendants.  
 25 \_\_\_\_\_ /

26 **STIPULATION**

27 Due to the unavailability of the mediator, the mediation set for August 18, 2009 did not

1 go forward. The mediation was reset for October 7, 2009. Accordingly, the parties stipulate that  
2 the mediation may be completed on or before October 30, 2009, and that in the interests of  
3 judicial economy that further case management conference for this matter be postponed until on  
4 or after November 1, 2009.

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DATED: August 21, 2009

LAW OFFICES OF GAYLA B. LIBET

By: /s/  
GAYLA B. LIBET  
Attorney for Plaintiffs

DATED: August 21, 2009

MICHAEL S. LAWSON, City Attorney

By: /s/  
RANDOLPH S. HOM,  
Assistant City Attorney  
Attorneys for Defendants

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 8, 2009

  
MAGISTRATE JAMES LARSON

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**PROOF OF SERVICE**

I am employed in the County of Alameda, State of California. I am over the age of 18 and not a party to the within action. My business address is 777 "B" Street, Hayward, CA 94541.

On August 25, 2009, I served the document(s) described as: **Stipulation to Extend Deadline to Complete Mediation** on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope:

JOHN L. BURRIS  
Law Offices of John L. Burris  
7677 Oakport Street, Suite 1120  
Oakland, CA 94621

GAYLA B. LIBET  
Law Offices of Gayla B. Libet  
486 41<sup>st</sup> Street, Suite 3  
Oakland, CA 94609

**(BY MAIL)** I am readily familiar with this business's practice for collection and processing of correspondence for mailing, and that correspondence will be deposited with the U.S. Postal Service on the date herein above in the ordinary course of business at Hayward, California.

**(BY PERSONAL SERVICE)** I caused such envelope to be delivered by hand to the addressee(s) at the locations noted above.

**(BY FACSIMILE TRANSMISSION)** I caused a true copy thereof to be transmitted by facsimile machine, which transmission was reported and complete and without error.

**(BY FEDERAL EXPRESS)** I caused such envelope to be placed with Federal Express for overnight delivery of same.

**(STATE)** Under the laws of the State of California.

**(FEDERAL)** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed on August 25, 2009 at Hayward, California.

/s/ \_\_\_\_\_  
Randolph Hom