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9 Attorneys for Defendants  
 10 CITY AND COUNTY OF SAN FRANCISCO,  
 CALVIN CHOW AND RAYMOND LEE

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 12  
 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

15 SHARON S. HENRY,  
 16 Plaintiffs,  
 17 vs.  
 18 BANK OF AMERICA CORPORATION,  
 19 NANCY MENDOZA, CITY & COUNTY OF  
 SAN FRANCISCO, CALVIN CHOW,  
 20 RAYMOND LEE, and DOE ONE through  
 DOE TEN, inclusive,  
 21 Defendants.

Case No. 09-CV-0628 CRB

**STIPULATION AND [PROPOSED] ORDER  
 VACATING MEDIATION DEADLINE AND  
 SETTING CASE MANAGEMENT  
 CONFERENCE**

Case Filed: February 11, 2009  
 Trial Date: Not Set

1 On May 26, 2009, the Court referred the parties in this matter to mediation. Robert T. Fries  
2 was appointed as mediator, and a mediation session was scheduled for October 22, 2009. However,  
3 after reviewing the parties' mediation briefs Mr. Fries indicated that he believes that settlement  
4 discussions in this case will not be constructive until the Court resolves disputed issues of law,  
5 including the items raised in Bank of America's SLAPP motion and the issues to be raised in the  
6 City's anticipated motion for summary judgment. Accordingly, the mediator cancelled the mediation  
7 and directed the parties to communicate to the Court his recommendation that the mediation be  
8 postponed until after such issues are resolved.

9 In light of the mediator's recommendations, the parties hereby stipulate and request that the  
10 Court vacate the mediation deadline and set this matter for a case management conference.

11  
12 Dated: December 3, 2009

SIEGEL & YEE

13  
14 By: s/Jose Luis Fuentes  
15 JOSE LUIS FUENTES

16 Attorneys for Plaintiff SHARON HENRY

17 Pursuant to General Order 45, §X.B., the filer of this  
18 document attests that she has received the concurrence of  
this signatory to file this document.

19 Dated: December 3, 2009

20 SEVERSON & WERSON

21 By: s/Andrew S. Elliot  
22 ANDREW S. ELLIOT

23 Attorneys for Defendants BANK OF AMERICA  
24 CORPORATION AND NANCY MENDOZA

25 Pursuant to General Order 45, §X.B., the filer of this  
26 document attests that she has received the concurrence of  
27 this signatory to file this document.  
28

1 Dated: December 3, 2009

2 DENNIS J. HERRERA  
3 City Attorney  
4 JOANNE HOEPER  
5 Chief Trial Deputy  
6 KIMBERLY A. BLISS  
7 DANIEL A. ZAHEER  
8 Deputy City Attorneys

9 By: /s/ Daniel A. Zaheer  
10 DANIEL A. ZAHEER

11 Attorneys for Defendants CITY AND COUNTY OF  
12 SAN FRANCISCO, CALVIN CHOW AND  
13 RAYMOND LEE

14 **ORDER**

15 Pursuant to the Stipulation above, and for good cause shown, the mediation deadline in this  
16 matter is VACATED. The parties shall appear for a case management conference on  
17 December 18, 2009 at 8:30 a.m.

18 IT IS SO ORDERED.

19 DATE:

