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 16 TOWNSEND AND TOWNSEND AND CREW LLP and
 Defendants STEVEN C. PETERSEN and DAVID A. HALL

17 **UNITED STATES DISTRICT COURT**
 18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

19
 20 LG HOME PRODUCTS, LLC, a Florida
 21 limited liability company, LEWIS GREEN,
 an individual,

22 Plaintiff,

23 vs.

24 TOWNSEND AND TOWNSEND AND
 25 CREW LLP, a California limited liability
 partnership, STEVEN C. PETERSEN, an
 26 individual, DAVID A. HALL, an
 individual,

Defendants.

CASE NO. CV 09-05226 JSW

**STIPULATION AND ~~PROPOSED~~ ORDER
 EXTENDING MEDIATION CUT OFF
 DATE TO JUNE 30, 2010**

1 TOWNSEND and TOWNSEND and
2 CREW, LLP, a California limited liability
partnership,

3 Counter-Claimant,

4 vs.

5 LG HOME PRODUCTS, LLC, a Florida
6 limited liability company, LEWIS GREEN,
an individual,

7 Counter-Defendants.
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10 Plaintiffs and Counter-Defendants LG Home Products and Lewis Green, Defendants
11 Townsend and Townsend and Crew LLP, Steven Petersen and David Hall and Counter-Claimant
12 Townsend and Townsend and Crew LLP (collectively “the Parties”) hereby submit the following
13 Stipulation and Proposed Order:

14 WHEREAS, on January 25, 2010 this Court ordered the parties to participate in private
15 mediation on or before May 26, 2010;

16 WHEREAS, Plaintiffs represent that Plaintiff Lewis Green who is the principal of LG
17 Home Products, LLC, presently resides in China and because of a business venture, has been
18 unable to schedule his return to the United States prior to the latter portion of June 2010;

19 WHEREAS, the Parties each believe it necessary to complete certain discovery in order to
20 have a meaningful mediation, including the taking of the deposition of Lewis Green on June 23,
21 2010, the person most qualified at LG Home Products LLC on June 24, 2010,, and the production
22 of documents by Plaintiffs to be completed by the end of May 2010, which Plaintiffs represent
23 has been delayed because of the various locations of the documents in San Diego and Florida
24 while Plaintiff is in China;
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1 WHEREAS, the parties agree that it is important to keep in place all other dates in the
2 January 25, 2010 Scheduling Order in this matter, including the Fact Discovery cut-off of
3 September 30, 2010, which the parties agree should only be moved for extraordinary,
4 unanticipated reasons;

5
6 WHEREAS, the parties agree that the physical presence of Defendants Steven Peterson
7 and David Hall at the mediation is not necessary in order for the parties to conduct a mediation in
8 good faith with the participation of all other parties including a representative of Townsend and
9 Townsend and Crew LLP; and

10 WHEREAS, following the Status Conference on February 11, 2010 and a discussion with
11 the mediator assigned to the case, the parties have met and conferred and agree it is necessary and
12 beneficial to conduct to mediation on June 28, 2010;

13
14 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between
15 the undersigned, that:

- 16
17 1. Based on the foregoing, the undersigned parties through their counsel stipulate to
18 continue the mediation completion date in this matter to June 30, 2010 so that
19 mediation can take place on or about June 28, 2010. Further, the parties agree that this
20 stipulation is not intended to affect any other dates in this matter, including the
21 discovery cut-off date of September 30, 2010 which the parties agree to maintain.
22 2. 2. Based on the foregoing, Defendants Steven Peterson and David Hall do not need
23 to physically attend the mediation but, instead, may be available on telephone standby.
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26 SO STIPULATED.

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Dated: May 21, 2010

CARLSON, CALLADINE & PETERSON LLP

By: s/Jan E. Ellard/
Jan E. Ellard

Attorneys for Defendant and Counter-Plaintiff
**TOWNSEND and TOWNSEND and CREW
LLP and Defendants Steven Paterson and
David Hall**

Dated: May 24, 2010

SHAUB & WILLIAMS LLP


By: s/Lisbeth Bosshart Merrill/
Lisbeth Bosshart Merrill

Attorneys for Plaintiff
LG HOME PRODUCTS, LLC

Pursuant to the stipulation above, it is hereby ORDERED that the parties in the referenced matter participate in mediation by June 30, 2010 and that the Scheduling Order shall be so amended. It is FURTHER ORDERED that the fact discovery cut-off of September 30, 2010 will not be moved absent extraordinary, unanticipated reasons. It is FURTHER ORDERED that Defendants Steven Peterson and David Hall do not need to attend the mediation but, instead, may be available on telephone stand-by.

IT IS SO ORDERED.

Dated: May 27, 2010


The Honorable Jeffrey S. White
United State District Judge