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10 Attorneys for Plaintiff Stephen Gales,
11 and all others similarly situated

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13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 STEPHEN GALES, on behalf of himself and all
17 others similarly situated,

18 Plaintiff,

19 vs.
20

21 WINCO FOODS, WINCO FOODS, LLC
and Does 1 through 50, inclusive,

22 Defendants.
23

No. 3:09-cv-05813-CRB

**STIPULATION TO CONTINUE TIME
WITHIN WHICH TO PARTICIPATE IN A
MEDIATION**

24 WHEREAS, the parties in the above-entitled case were ordered to participate in mediation
25 within 90 days from March 1, 2010, which was continued by Order of this Court on June 2, 2010;
26 and,

27 WHEREAS, the parties have not completed the necessary pre-mediation discovery to
28 allow this to occur, the parties have not yet participated in a mediation;

1 IT IS HEREBY AGREED AND STIPULATED, by and between the parties hereto, as
2 follows:

3 The parties agree to continue the mediation until the parties have sufficient time to conduct
4 the discovery necessary to allow the mediation to be fruitful. The parties therefore jointly request
5 that the Court continue the time by which the parties have to participate in a mediation for 120
6 days.

7 This stipulation may be executed in counterparts and a fax or e-mail attachment signatures
8 shall be considered an original.

9 Date: September 24, 2010

QUALLS & WORKMAN, L.L.P.

11 By: \s\ Robin G. Workman
12 Robin G. Workman
13 Attorney for Plaintiff Stephen Gales
and all others similarly situated

14 Dated: September 24, 2010

SEYFARTH SHAW, LLP

16 By: \s\ Alfred L. Sanderson, Jr.
17 Alfred L. Sanderson, Jr.
18 Attorney for Defendant, WinCo Foods, LLC

19 **ORDER**

20 Pursuant to the stipulation of the parties, and good cause appearing, **IT IS HEREBY**
21 **ORDERED:**

22 The parties' request to continue for 120 days the date by which they are to participate in a
23 mediation is hereby GRANTED.

24 Dated: September 29, 2010

25
26 Honorable Charles R. Breyer
27 United States District Judge

