

1 ANNE D. O'NIELL, ESQ. (SBN 120948)  
 CHRISTINA A. LEE, ESQ. (SBN 257905)  
 2 HINSHAW & CULBERTSON LLP  
 One California Street, 11th Floor  
 3 3 San Francisco, CA 94111  
 Telephone: (415) 362-6000  
 Facsimile: (415) 834-9070  
 4 aoniell@hinshawlaw.com  
 cleee@hinshawlaw.com  
 Attorneys for Defendants

5  
 6 THE RITZ-CARLTON HOTEL COMPANY, LLC; MARRIOTT INTERNATIONAL, INC.; SHC HALF MOON BAY, LLC; DTRS HALF MOON BAY, LLC AND STRATEGIC HOTELS AND RESORTS, INC.

7 THEODORE L. WHITE, ESQ. (Pro Hac Vice)  
 DEUTSCH, KERRIGAN & STILES, LLP  
 755 Magazine St.  
 8 New Orleans, LA 70130  
 Telephone: 504-581-5141  
 Facsimile: 504-593-0604  
 9 white@dkslaw.com

THIMESCH LAW OFFICES  
 TIMOTHY S. THIMESCH, ESQ. (No. 148213)  
 158 Hilltop Crescent  
 Walnut Creek, CA 94576-3452  
 Direct: (925) 588-0401  
 Facsimile: (888) 210-8868  
 tim@thimeschlaw.com

10 Attorneys For Defendants SHC HALF MOON BAY,  
 LLC; DTRS HALF MOON BAY, LLC; and  
 11 STRATEGIC HOTELS AND RESORTS, INC

Attorney for Related-Plaintiff MICHAEL PAULICK

12 SIDNEY J. COHEN, ESQ. (No. 39023)  
 Sidney J. Cohen Professional Corporation  
 427 Grand Avenue  
 13 Oakland, CA 94610  
 Tel: (510) 893-6682  
 14 SJC5143@aol.com

15 Attorneys for Plaintiff RICHARD SKAFF

16 UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

17 RICHARD SKAFF,  
 18 Plaintiff,

Case No. C10-01115-CRB  
 Civil Rights

19 v.

20 RITZ-CARLTON HOTEL COMPANY, LLC;  
 21 et al.,

**STIPULATION AND [REDACTED]  
 ORDER EXTENDING DEADLINES  
 UNDER GENERAL ORDER 56 AND  
 REFERRING MATTER TO  
 MEDIATION**

22 Defendants.

23 MICHAEL PAULICK,  
 24 Plaintiff,

Related Case No. C10-4107-CRB

25 v.

26 RITZ-CARLTON HALF MOON BAY, et al.

[TO BE FILED IN BOTH ACTIONS]

27 Defendants.

28 The Parties continue to make substantial progress toward resolution, and although more

1 meetings are planned, they believe the two cases are now ready for referral directly to a joint  
2 mediation. As a status of efforts under General Order 56, the parties held another full day  
3 inspection and meeting on site on November 1, 2010, and now have completed their initial  
4 disclosures. However, intervening scheduling difficulties of counsel, including a trial in  
5 another matter, have prevented rescheduling and full completion of that process, including their  
6 final meeting, which the parties anticipate will be possible within the next three to four weeks.  
7 In the mean time, and to ensure adequate time for discussion without further delaying ultimate  
8 resolution, the parties request another 60 day extension of all General Order 56 deadlines (as  
9 set forth in the Court's Orders of November 1, 2010) and that the two cases be referred directly  
10 to a joint mediation to occur within the next 60 to 75 days before Howard Herman of the ADR

11 ////

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 Department.

2 SO STIPULATED.

3 Dated: November 30, 2010

ANNE D. O'NIELL, ESQ.  
CHRISTINA A. LEE, ESQ.  
HINSHAW & CULBERTSON LLP

5

/s/ Authorized Signed

Attorneys for Defendants THE RITZ-CARLTON  
HOTEL COMPANY, LLC; MARRIOTT  
INTERNATIONAL, INC.; SHC HALF MOON  
BAY, LLC; DTRS HALF MOON BAY, LLC  
AND STRATEGIC HOTELS AND RESORTS,  
INC.

8

9 Dated: November 30, 2010

THEODORE L. WHITE, ESQ.  
DEUTSCH, KERRIGAN & STILES, LLP

10

/s/ Authorized Signed

Attorneys for Defendants SHC HALF MOON BAY,  
LLC; DTRS HALF MOON BAY, LLC; and  
STRATEGIC HOTELS AND RESORTS, INC.

11

12

13

Dated: November 30, 2010

SIDNEY J. COHEN, ESQ.  
SIDNEY J. COHEN PROFESSIONAL  
CORPORATION

14

15

/s/ Authorized Signed

Attorneys for Plaintiff RICHARD SKAFF

16

17

Dated: November 30, 2010

TIMOTHY S. THIMESCH, ESQ.  
THIMESCH LAW OFFICES

18

19

/s/ Authorized Signed

Attorneys for Plaintiff MICHAEL PAULICK

20

21

**DECLARATION OF TIMOTHY S. THIMESCH**

22

I, Timothy S. Thimesch, declare:

23

1. I am counsel for the plaintiff in the case *Michael Paulick v. Ritz-Carlton, Half Moon Bay, et al.*, also filed in this court as Case No. C10-4107 CRB (“the Paulick Case”), which has been related to *Richard Skaff v. Ritz-Carton Hotel Company, LLC, et al.*, filed as Case No. C10-01115-CRB in the United States District Court, Northern District of California (“the Skaff Case”). I am familiar with the facts on file for the two cases.

24

25

26

27

28

2. The parties in Skaff have received two prior extensions of the General Order 56

1 deadlines to meet scheduling demands. In the last Skaff request for an extension, the parties in  
2 the Paulick case sought to coordinate, and therefore sought and received permission to  
3 accelerate their GO 56 deadlines.

4 3. Since the last coordinated extension/advancement, counsel and consultants met  
5 on site for a full day inspection of the premises. This occurred on November 1, 2010. The  
6 parties are currently coordinating an effort to reschedule the conclusion of that inspection and  
7 the holding of a final GO 56 meeting among all parties. Presently this effort has been  
8 complicated by the scheduling conflicts for defense counsel Ted White, who represents that he  
9 has been in trial for the past several weeks.

10 4. Already, however, the parties have made significant enough progress without  
11 the final meeting to be ready for mediation. They request that the case be referred to Howard  
12 Herman of the ADR Department. The parties will have the injunctive relief issues sufficiently  
13 narrowed to be ready by the time of mediation.

14 I declare under penalty of perjury that the foregoing is true and correct.

15 Executed this 24<sup>th</sup> day of November 2010 at Walnut Creek, California.

18 \_\_\_\_\_  
TIMOTHY S. THIMESCH, declarant

21 **ORDER**

22 SO ORDERED. \_\_\_\_\_

25 Dated: Dec. 3, 2010

26 CHARLES R. BREYER  
27 JUDGE OF THE UNITED STATES DISTRICT COURT

