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14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN FRANCISCO DIVISION**

17 M. BARBERA & FIGLI, S.P.A.,
 18
 19 Plaintiff,
 20 vs.
 21 VIGO IMPORTING COMPANY;
 22 and DOES 1-20,
 23 Defendants.

Case No. 3:10-cv-01508-JSW

**STIPULATION AND APPROVAL TO
 AMENDED MEDIATION DATE**

STIPULATION TO AMENDED MEDIATION DATE

Pursuant to the agreement of the parties as set forth in the Joint Case Management Conference statement dated July 16, 2010, mediation is to be completed by October 4, 2010.

On September 21, 2010, this court approved an extension of time to mediate to October 25, 2010. The extension was based on the determination of the parties that settlement prospects are enhanced with such additional time. However, the parties have now identified a scheduling conflict which was not previously apparent, and therefore find they must again extend the time for mediation.

The parties therefore agree to extend the time for completion of mediation to November 17, 2010, with a mediation date set now for November 11, 2010. Additional time, necessary to scheduling, will also allow receipt of responses to outstanding discovery, and communication with out of state and out of country clients. Resetting the date for mediation on or before November 17 may also allow the parties to resolve this case, and negotiations are ongoing.

The parties request the Court approve this change in schedule for mediation.

Respectfully submitted,

Dated: September 28, 2010



Thomas W. Cook
Attorneys for Plaintiff
M. BARBERA & FIGLI, S.P.A.

Dated: September 28, 2010

HOLLAND & KNIGHT LLP



on behalf of, and by authority of:

Matthew P. Vafidis
Attorneys for Defendant
VIGO IMPORTING COMPANY

Approved:

Date: October 5, 2010


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE