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 JOY SCHOLTZ  
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8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

11 JOY SCHOLTZ,	>	
	>	Case No. 10-3794 JL
12 Plaintiffs,	>	
	>	
13 vs.	>	<b>STIPULATION AND</b>
	>	<b>[PROPOSED] ORDER TO</b>
14 HOME DEPOT USA, Inc. and	>	<b>CONTINUE MEDIATION</b>
DOES 1 to 25,	>	
	>	
15 Defendants.	>	
16 _____	>	

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 19 JOY SCHOLTZ, plaintiff and HOME DEPOT USA, Inc, by and through their respective  
 20 attorneys hereby stipulate as follows and respectfully seek a Court order as follows:

- 21 1. This Court ordered plaintiff Joy Scholtz and defendant Home Depot  
 22 USA, Inc. to mediate this case by May 12, 2011;  
 23 2. The parties agreed to schedule the mediation on May 5, 2011 before the court  
 24 appointed mediator, Patricia Prince;  
 25 3. The parties both believe that the case is not ripe for mediation because the  
 26 parties are still waiting to receive any billing information from plaintiff's medical providers  
 27 at Kaiser Permanente. Health Care Recoveries administers Kaiser Permanente's billings and  
 28 the claim representative from Health Care Recoveries stated on April 27, 2011 that billing

1 amounts will not be available for up to sixty (60) days.

2 4. The mediator, Ms. Prince, agrees that the mediation should be  
3 continued.

4 5. The parties, their counsel and Ms. Prince have agreed to schedule a new  
5 mediation date of July 6, 2011.

6 6. The parties, their counsel and Ms. Prince believe that the Further Case  
7 Management Conference scheduled for May 18, 2011 at 10:30a.m. be continued until after  
8 the July 6, 2011 mediation.

9 7. The parties and their counsel also request that all scheduling be delayed until  
10 after the Further Case Management Conference.

11 IT IS HEREBY STIPULATED, by and between the parties, through their respective  
12 counsel, that (1) the deadline to complete mediation is continued to July 10, 2011; (2) that the  
13 Further Case Management Conference currently scheduled for May 18, 2011 at 10:30 a.m. be  
14 continued until after the July 6, 2011 mediation; (3) and that the current schedule for the case  
15 be vacated and that the schedule be determined at the Further Case Management  
16 Conference. Case management conference continued to July 27, 2011, 10:30 a.m.

17 IT IS SO STIPULATED.

18  
19 DATED: May 2, 2011

SHANE & TAITZ

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21 By: /s/ David R. Shane  
22 David R. Shane  
23 Attorney for Plaintiff  
Joy Scholtz

24 DATED: May 2, 2011

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26 By: /s/ Kevin Larson  
27 Kevin Larson  
28 Attorney for Defendant  
Home Depot USA, Inc.

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Order

**Good Cause Appearing Therefor,**

IT IS HEREBY ORDERED, as follows;

① The Mediation Completion Date is continued until July 10, 2011; and

② The Further Case Management Conference currently scheduled for  
May 18, 2011 at 10:30 a.m. be continued until July 27, 2011; 10:30 a.m.

③ The current schedule for the case be vacated and that the schedule be  
determined at the Further Case Management Conference.

**So Ordered.**

DATED: 5-6, 2011

  
Magistrate Judge James Larson