1 2 3 4 5 6 7 8 9 10 11 12	MELINDA L. HAAG (SBN: 132612) United States Attorney JOANN M. SWANSON (SBN 88143) Chief, Civil Division JUAN D. WALKER (SBN 208008) Assistant United States Attorney 450 Golden Gate Avenue, Box 36055 San Francisco, California 94102-3495 Telephone: (415) 436-6915 FAX: (415) 436-6748 juan.walker@usdoj.gov Attorneys for Defendant ROBERT E. BREECKER (SBN: 46564) 440 Grand A venue, Suite 420 Oakland, CA 94610 (510) 763-4444 (510) 893-2355 (fax) breecker@yahoo.com Attorney for Plaintiff	
	Ollie Eugene Dunlap III	
13	UNITED STATES DISTRICT COURT	
14	NORTHERN DISTRICT OF CALIFORNIA	
15		
16	SAN FRANCISCO DIVISION	
17	OLLIE EUGENE DUNLAP III,	No. C-11-1276 (TEH)
18	Plaintiff,	STIPULATION AND [PROPOSED] ORDER CONTINUING ADR COMPLETION DATE
19	v.	
20	UNITED STATES OF AMERICA; and	
21	DOES 1 through 100, Inclusive,	
22	Defendants.	
23	Defendant UNITED STATES OF AMERICA ("Defendant") and Plaintiff OLLIE EUGENE	
24	DUNLAP III ("Plaintiff"), by and through their respective counsel of record, do hereby stipulate	
25	as follows:	
26	1. The Court set the Alterative Dispute Resolution ("ADR") completion date in this	
27	matter for December 1, 2011.	
28	2. The parties have not requested any previous extension of the ADR completion date.	
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	STIPULATION AND [PROPOSED] ORDER C-11-1276 (TEH)	R CONTINUING ADR COMPLETION DATE

- 3. The parties set the mediation for this matter for November 29, 2011. However, at this time, the parties do not believe that they have engaged in sufficient discovery for mediation to be productive.
- 4. The parties have exchanged and responded to the first round of written discovery. Additionally, the parties have scheduled the depositions of the Plaintiff and the surgeon involved in this medical malpractice case for December of 2011. After this discovery is completed, the parties will be in better position to have a productive mediation.
- 5. John Barg of Barg, Coffin, Lewis & Trapp, LLP has been assigned as the mediator in this matter. Mr. Barg and the parties have provisionally agreed upon a new mediation date of January 30, 2012, pending receipt of permission from the Court.
- 6. Accordingly, Plaintiff and Defendant request an Order from the Court continuing the deadline for completion of ADR from December 1, 2011 to February 15, 2012.

Dated: November 28, 2011

Respectfully submitted,

MELINDA L. HAAG United States Attorney

JUAN D. WALKER¹
Assistant U.S. Attorney
Attorneys for Federal Defendant

Dated: November 28, 2011

ROBERT E. BREECKER Attorney for Plaintiff

IT IS SO ORDERED.

Dated: 11/29/2011

THE Judge Thelton E. Henderson VE JUDGE

¹In accord with the Northern District of Chief Ceneral Order No. 45, Section X(B), I attest that concurrence in the filing of this document has been obtained from the other signatory listed on this document.