

1 Clayeo C. Arnold SBN 65070  
 Clifford L. Carter, SBN 149621  
 2 Kirk J. Wolden, SBN 138902  
 CLAYEO C. ARNOLD  
 3 A Professional Corporation  
 865 Howe Avenue  
 4 Sacramento, CA 95825  
 Telephone: (916) 924-3100  
 5 Facsimile: (916) 924-1829  
 E-mail: kirk@justice4you.com

6 F. Jerome Tapley (ASB-0583-A56T)  
 7 Hirlye R. "Ryan" Lutz, III (ASB-6641-E59L)  
 CORY WATSON CROWDER & DEGARIS, P.C.  
 8 2131 Magnolia Avenue  
 Birmingham, AL 35205  
 9 Telephone: (205) 328-2200  
 Facsimile: (205) 324-7896  
 10 Email: jtapley@cwcd.com; rlutz@cwcd.com

11 Michael F. Ram, SBN 104805  
 Kirk Boyd, SBN 122759  
 12 RAM, OLSON, CEREGHINO & KOPCZYNSKI LLP  
 555 Montgomery Street, Suite 820  
 13 San Francisco, CA 94111  
 Telephone: (415) 433-4949  
 14 Facsimile: (415) 433-7311  
 Email: mram@rocklawcal.com; kboyd@rocklawcal.com

15 *Attorneys for Plaintiff and the Class*

16 **UNITED STATES DISTRICT COURT**  
 17 **NORTHERN DISTRICT OF CALIFORNIA**  
 18 **(SAN FRANCISCO DIVISION)**

19 MELISSA PANICO, individually, and as  
 mother and next friend of, SIGNE  
 20 WHELAN and OSCAR WHELAN,

21 Plaintiff,

22 vs.

23 MILES INDUSTRIES LTD.

24 Defendant.

Case No.: 3:11-cv-02378-EDL

**STIPULATION AND ORDER VACATING  
 DEFENDANT'S MOTION TO COMPEL  
 AND MOTION FOR SANCTIONS**

25  
 26  
 27 The parties have reached an agreement that resolves the discovery dispute giving rise to the  
 28 Motion to Compel (Docket No. 51) and Motion for Sanctions (Docket No. 57) filed with this Court on

1 July 23, 2012. The Motions are hereby vacated. The parties' agreement is memorialized in Exhibits 1-5  
2 to this stipulation.

3 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD:

4  
5 DATED: August 3, 2012

s/ F. Jerome Tapley \_\_\_\_\_  
F. Jerome Tapley (ASB-0583-A56T)  
Hirlye R. "Ryan" Lutz, III (ASB-6641-E59L)  
CORY WATSON CROWDER & DEGARIS, P.C.  
2131 Magnolia Avenue  
Birmingham, AL 35205  
Telephone: (205) 328-2200  
Facsimile: (205) 324-7896  
Email: jtapley@cwcd.com; rlutz@cwcd.com

6  
7  
8  
9  
10  
11 Clayeo C. Arnold SBN 65070  
Clifford L. Carter, SBN 149621  
Kirk J. Wolden, SBN 138902  
CLAYEO C. ARNOLD  
A Professional Corporation  
865 Howe Avenue  
Sacramento, CA 95825  
Telephone: (916) 924-3100  
Facsimile: (916) 924-1829  
E-mail: kirk@justice4you.com

12  
13  
14  
15  
16  
17 Michael F. Ram, SBN 104805  
Kirk Boyd, SBN 122759  
RAM, OLSON, CEREGHINO & KOPCZYNSKI  
LLP  
555 Montgomery Street, Suite 820  
San Francisco, CA 94111  
Telephone: (415) 433-4949  
Facsimile: (415) 433-7311  
Email: mram@rocklawcal.com;  
kboyd@rocklawcal.com

18  
19  
20  
21  
22  
23 *Attorneys for Plaintiff and the Class*

24  
25 DATED: August 3, 2012

s/Matthew J. Schleiffarth  
Gregory F. Dyer, SBN 114486  
Kristen K. Preston, SBN 125455  
Matthew J. Schleiffarth, SBN 260890  
JONES & DYER  
1800 J Street  
Sacramento, California 95811

Telephone: (916) 552-5959

Fax: (916) 442-5959

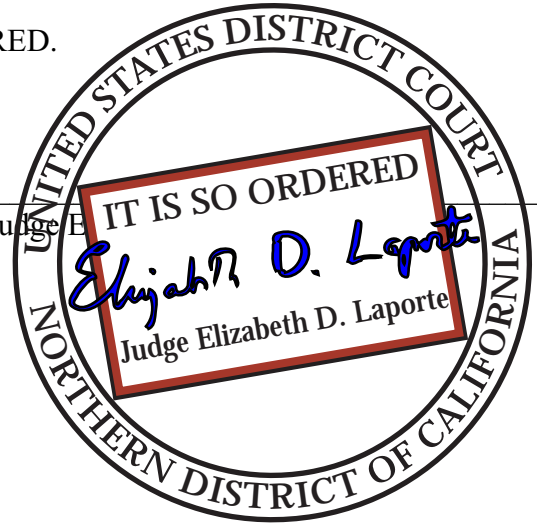
*Attorneys for Defendant Miles Industries, Ltd.*

**ORDER**

Pursuant to the Stipulation of the Parties, IT IS SO ORDERED.

DATE: August 6, 2012

Hon. Judge E



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28