

1 James T. Conley, State Bar No. 224174
 james.conley@ogletreedeakins.com
 2 Nyoki T. Sacramento, State Bar No. 239046
 nyoki.sacramento@ogletreedeakins.com
 3 Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
 Steuart Tower, Suite 1300
 4 One Market Plaza
 San Francisco, CA 94105
 5 Telephone: 415.442.4810
 Facsimile: 415.442.4870

6
 7 Attorneys for Defendant
 HOME DEPOT U.S.A., INC.

8 Ryan J. Vlasak, State Bar No. 241581
 rvlasak@bvlawsf.com
 9 Michael R. Bracamontes, State Bar No. 242655
 mbracamontes@bvlawsf.com
 10 Kristen M. Ross, State Bar No. 250917
 kross@bvlawsf.com
 11 BRACAMONTES & VLASAK, P.C.
 220 Montgomery Street, Suite 870
 12 San Francisco, CA 94104
 Telephone: (415) 835-6777
 13 Facsimile: (415) 835-6780

14 Attorneys for Plaintiffs
 HOWARD STEINER and BARRY TAYLOR

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 17 **UNITED STATES DISTRICT COURT**
 18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

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 20 HOWARD STEINER and BARRY TAYLOR,
 21 Plaintiffs,
 22 vs.
 23 THE HOME DEPOT, U.S.A., INC. and DOES 1
 24 through 20, inclusive,
 25 Defendants.

Case No. C 11 6495 MEJ

**JOINT STIPULATION AND [PROPOSED]
 ORDER CONTINUING MEDIATION
 DEADLINE**

Action Filed: November 18, 2011
 Trial Date: April 8, 2013

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1 Pursuant to Civil Local Rules 6-2, 7-12, AND ADR Local Rule 6-5, Defendant Home
2 Depot U.S.A., Inc. (“Defendant”) and Plaintiffs Howard Steiner and Barry Taylor (“Plaintiffs”)
3 (collectively the “Parties”) submit the following stipulation for an extension of time to complete
4 mediation in this action. Good cause exists to extend the deadline.

5 1. On March 19, 2012, the Court ordered the parties to complete mediation within 90
6 days.

7 2. On April 30, 2012, the Parties submitted a stipulation seeking to continue the
8 mediation deadline and expert discovery deadlines due to the Parties’ and the mediator’s
9 conflicting schedules. On that same day, the Court ordered that the deadline to complete mediation
10 be continued to August 31, 2012.

11 3. On or about June 15, 2012, Defendant’s former lead trial counsel, Andrew
12 Jaramillo, resigned from his position as a shareholder at Ogletree, Deakins, Nash, Smoak, &
13 Stewart, P.C., and he is no longer representing Defendant in this action.

14 4. Pursuant to the Notice of Change of Counsel, which Defendant filed with the Court
15 on July 13, 2012, James T. Conley is now Defendant’s lead trial counsel in this action. As a result
16 of this substitution, the interests of justice, fairness and equity dictate that the Court exercise its
17 discretion and extend the mediation deadline so that Defendant’s new lead trial counsel, Mr.
18 Conley, can have adequate time to review the files, prepare Defendant’s witnesses, and prepare for
19 an effective mediation.

20 **NOW, THEREFORE**, the Parties, through their respective counsel of record **AGREE**
21 **AND HEREBY STIPULATE AND REQUEST** that the Court extend the mediation deadline as
22 follows:

23 The deadline to complete mediation shall be continued to September 28, 2012.
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1 **IT IS SO STIPULATED, BY AND THROUGH COUNSEL OF RECORD.**

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DATED: August 10, 2012

BRACAMONTES & VLASAK, P.C.

By: /s/ Kristen M. Ross
Ryan J. Vlasak
Michael R. Bracamontes
Kristen M. Ross

Attorneys for Plaintiffs
HOWARD STEINER and BARRY TAYLOR

DATED: August 10, 2012

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

By: /s/ Nyoki T. Sacramento
Nyoki T. Sacramento
James T. Conley

Attorneys for Defendant
HOME DEPOT U.S.A., INC.

*Pursuant to General Order 45, §X.B, the filer
of this document attests that he/she has
received the concurrence of this signatory to
file this document.*

PURSUANT TO STIPULATION, IT IS SO ORDERED that:

The deadline to complete mediation shall be continued to September 28, 2012.

Dated: August 10, 2012

