

1 ANDREW H. BAKER, SBN 104197
BEESON, TAYER & BODINE, APC
 2 483 Ninth Street, 2nd Floor
 Oakland, CA 94607
 3 Telephone: (510) 625-9700
 Facsimile: (510) 625-8275
 4 Email: abaker@beesontayer.com

5 Attorneys for Defendant AFSCME

6 RICHARD JOHNSTON, SBN 124524
LAW OFFICES OF RICHARD JOHNSTON
 7 131-A Stony Circle, Suite 500
 Santa Rosa, CA 95401
 8 Telephone: (707) 577-7422
 Facsimile: (707) 837-9532
 9 Email: RichardJohnstonEsq@gmail.com

10 Attorney for Plaintiff MELANIE RINCON

11
 12 **UNITED STATES DISTRICT COURT**
 13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 14 **AT SAN FRANCISCO**

15 MELANIE RINCON,
 16
 Plaintiff,
 17
 v.
 18
 AMERICAN FEDERATION OF STATE,
 19 COUNTY AND MUNICIPAL EMPLOYEES,
 20 Defendant.

Case No. C12-04158 MEJ

**JOINT REQUEST TO EXTEND DEADLINE
 FOR CONDUCTING MEDIATION
 AND ~~PROPOSED~~ ORDER**

21
 22 Pursuant to U.S.D.C. ADR Local Rule 6-5, Plaintiff Melanie Rincon and Defendant
 23 AFSCME submit this joint request to extend the deadline for conducting a mediation session in this
 24 matter.

25 The parties' deadline for conducting a mediation session in this matter is currently January 15,
 26 2013. For the following reasons, the parties jointly request that the deadline be extended two weeks,
 27 to January 29, 2013.

1 The parties initiated early settlement discussions in this matter shortly after it was filed. The
2 parties remain committed to discussing early settlement, prior to the necessity of conducting formal
3 mediation. The parties anticipate exchanging formal settlement proposals prior to January 15, 2013.
4 If these efforts fail to produce a settlement of the case, the parties will be prepared to engage in
5 formal mediation no later than January 29, 2013.

6 The parties' opportunity to engage in informal settlement discussions has been hampered by
7 health problems experienced by Plaintiff's counsel. These health problems were of sufficient
8 severity that Mr. Johnston's physician recommended in November 2012 that he cease all work for a
9 period of four weeks, and Mr. Johnston is only now returning to anything approaching his previous
10 law practice. Further information is available should the same be desired; in order to preserve the
11 confidentiality of the medical information in question, we do not go into further detail in this
12 pleading.

13
14 Dated: December 20, 2012

BEESON, TAYER & BODINE, APC

15
16 By: /s/Andrew H. Baker

ANDREW H. BAKER

Attorneys for AFSCME

17
18 Dated: December 20, 2012

LAW OFFICES OF RICHARD JOHNSTON

19
20 By: /s/Richard Johnston

RICHARD JOHNSTON

Attorneys for MELANIE RINCON

21
22
23 Good cause appearing therefore, the parties' joint request to extend the deadline for
24 conducting a mediation session to January 29, 2013, is granted.

25 **IT IS SO ORDERED.**

26 Dated: December 20, 2012

27 

Honorable Maria-Elena James