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15 Attorneys for Defendants
 COUNTY OF ALAMEDA, ALAMEDA COUNTY
 16 SHERIFF'S DEPARTMENT and GREGORY AHERN

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA

20 ELISA RAMIREZ, Guardian ad Litem for A.S.,
 21 minor,

22 Plaintiff,

23 v.

24 COUNTY OF ALAMEDA, ALAMEDA
 25 COUNTY SHERIFF'S DEPT, GREGORY
 26 AHERN, Sheriff,

27 Defendants.

Case No. C12-4852-MEJ

**STIPULATION AND ~~[PROPOSED]~~ ORDER
 CONTINUING MEDIATION COMPLIANCE
 DATE**

Hon. Maria-Elena James

1 **STIPULATION**

2 Defendants COUNTY OF ALAMEDA, ALAMEDA COUNTY SHERIFF'S DEPARTMENT,
3 and GREGORY AHERN, sheriff, and Plaintiff ELISA RAMIREZ, Guardian *ad Litem* for A.S., a minor
4 by and through their respective attorneys of record, hereby stipulate as follows:

5 1. The parties' initial Case Management Conference was scheduled for December 13, 2012.
6 Pursuant to the Court's Case Management Order issued on December 10, 2012, the Case Management
7 Conference was vacated and the following discovery and dispositive motion deadlines were set:

- 8 (A) Disclosure of Expert Witnesses and Expert Reports to be served by 9/13/2012;
- 9 (B) Disclosure of Rebuttal Expert Witnesses to be served by 9/23/2013;
- 10 (C) Non-Expert Discovery to be completed by 10/8/2013;
- 11 (D) All Dispositive Motions shall be filed, served, and noticed by 11/7/2013; and
- 12 (E) The Court shall hear dispositive motions no later than 12/12/2013.

13 2. By Order dated December 6, 2012, the parties were ordered to complete mediation within
14 120 days from the date of the order. The last day to complete mediation is therefore April 5, 2013.

15 3. On January 8, 2013, the parties were assigned to H. Jay Folberg for mediation.

16 4. At this time, Defendants are unable to meaningfully participate in mediation by April 5,
17 2013 for the following reasons:

18 (a) Pursuant to the Initial Case Management Order and ADR Deadlines, Plaintiff's
19 initial disclosures were due on December 6, 2012. Plaintiff did not serve their initial disclosures until
20 January 8, 2013, thereby delaying initial discovery necessary for mediation.

21 (b) Additionally, Defendants propounded written discovery on Plaintiff on January 15,
22 2013. Responses to the written discovery were due February 19, 2013. Defendants sent meet and confer
23 correspondence on February 26, 2013, explaining that no responses were received by that date.
24 Defendants extended Plaintiff's responsive deadline to March 5, 2013. To date, however, no responses
25 have been received. Responses to the written discovery may result in the need for further discovery,
26 including key witnesses.

27 (c) Plaintiff's failure to provide responses to discovery has delayed Plaintiff's
28 deposition. Defendants cannot proceed to mediation until Plaintiff's deposition is completed.

