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18 Attorneys for Defendant  
19 LBERTY LIFE ASSURANCE COMPANY OF BOSTON

20 UNITED STATES DISTRICT COURT  
21 NORTHERN DISTRICT OF CALIFORNIA

22 FELI MERCADO,  
23  
24 Plaintiff,  
25  
26 v.  
27 LIBERTY LIFE ASSURANCE COMPANY  
28 OF BOSTON,  
Defendant.

CASE NO. C12-6262 MEJ  
STIPULATED REQUEST TO DECLINE  
REFERRAL TO ADR

Per Civil Local Rule 6.2, Plaintiff FELI MERCADO and defendant LIBERTY LIFE ASSURANCE COMPANY OF BOSTON (“Liberty Life”) hereby petition this Court to grant its stipulated motion to the following:

- 1. WHEREAS, on February 21, 2013 the parties filed a stipulation and proposed

1 order selecting private mediation in this action;

2 2. WHEREAS, on March 6, 2013 this court approved the parties' stipulation  
3 selecting private mediation;

4 3. WHEREAS, the parties participated in private mediation on March 25, 2013 and  
5 were unable to resolve their differences,

6 4. WHEREAS, this court issued a case management order on April 16, 2013 in which  
7 it referred this action to ADR for mediation;

8 5. WHEREAS, the parties do not believe that additional mediation will prove  
9 productive at this time;

10 IT IS HEREBY STIPULATED by and between Plaintiff and Liberty Life, through their  
11 respective attorneys of record, that in the interests of efficiency benefitting the parties and this  
12 Court the parties ask to decline the Court's referral of this case to the ADR department for  
13 mediation and jointly request that the Court rescind that referral.

14 **IT IS SO STIPULATED.**

15  
16 Dated: April 26, 2013 SPRINGER-SULLIVAN & ROBERTS LLP

17  
18 By: /s/ Cassie Springer  
Cassie Springer

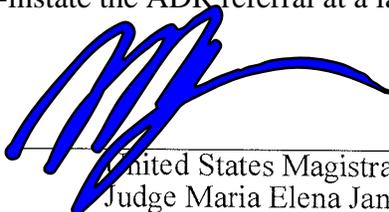
19 Attorneys for Plaintiff FELI MERCADO

20 Dated: April 26, 2013 ROPERS, MAJESKI, KOHN & BENTLEY

21  
22 By: /s/ Stacy M. Tucker  
PAMELA E. COGAN  
STACY M TUCKER  
Attorneys for Defendant LIBERTY LIFE  
ASSURANCE COMPANY OF BOSTON

23  
24  
25 IT IS SO ORDERED. The Court may re-instate the ADR referral at a later date, if appropriate.

26  
27 DATED: April 30, 2013

28  
  
United States Magistrate Court  
Judge Maria Elena James