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10 Attorneys for Defendants
 DIGITAL REALTY TRUST, INC. and ELLEN JACOBS

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14 Attorney for Plaintiff

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

19 PAUL SOMERS, an individual,

20 Plaintiff,

21 v.

22 DIGITAL REALTY TRUST, INC., a Maryland
 23 corporation; ELLEN JACOBS, an individual, and
 24 DOES ONE through TEN, inclusive,

25 Defendants.

Case No. 3:14-cv-05180 EMC (KAW)

**STIPULATION OF PARTIES TO
 ASSIGNMENT TO COURT-APPOINTED
 MEDIATOR AND [PROPOSED] ORDER**

1 Plaintiff PAUL SOMERS and Defendants DIGITAL REALTY TRUST, INC. and ELLEN
2 JACOBS hereby stipulate to participate in the Court's ADR Program through a Court appointed
3 mediator. The parties seek the Court's approval for this request for mediation, as indicated by the
4 proposed order below. The parties have not been able to schedule a private mediator.

5 The parties believe that this mediation will best serve the parties' interests and may lead to early
6 resolution of this case.

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8 DATED: October 10, 2016

Respectfully submitted,

SEYFARTH SHAW LLP

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11 By: /s/ Shireen Y. Wetmore

Brian T. Ashe
Shireen Yvette Wetmore
Kyle A. Petersen
Attorneys for Defendants
DIGITAL REALTY TRUST, INC. and
ELLEN JACOBS

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15
16 DATED: October 10, 2016

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18 By /s/ Jennifer S. Anderson

Jennifer S. Anderson
Attorney for Plaintiff

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21 **ATTESTATION PURSUANT TO LOCAL RULE 5-1(i)(3)**

22 I, Shireen Y. Wetmore, attest that concurrence in the filing of this stipulation has been obtained
23 from the signatory, Jennifer Suzanne Anderson, counsel for Plaintiff.

24 Executed this 10th day of October 2016, in San Francisco, CA.

25
26 /s/ Shireen Y. Wetmore
Shireen Y. Wetmore

1 The Court hereby orders this matter be assigned to a court-appointed mediator, with mediation to
2 be completed by 12/19, 2016.

3 **IT IS SO ORDERED:**

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5 DATED: 10/18/16

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7 35275830v.1

