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8   UNITED STATES DISTRICT COURT

9   NORTHERN DISTRICT OF CALIFORNIA

10

11 FRANCISCA MORALEZ,   ) No. 3:17-cv-05870-EMC
)
12   Plaintiff,   ) **STIPULATED REQUEST TO EXTEND**
) **DEADLINE TO CONDUCT MEDIATION**
13   vs.   ) **REQUIRED BY GENERAL ORDER 56;**
) **[PROPOSED] ORDER**
14 DARBRI CORPORATION dba MARKUS   )
    SUPPLY ACE HARDWARE, et al.,   )
15   )
             Defendants.   )
16   )
)
17   )
)
18   )
)
19 _____   )

20   Plaintiff, Francisca Moralez ("Plaintiff"), and Defendants, Darbri Corporation dba

21 Markus Supply Ace Hardware, Cardanal Partners L.L.C., Sharon J. Gordon, Daniel W.

22 Altwarg, and Carol Altwarg (collectively "Defendants," and together with Plaintiff, "the

23 Parties"), hereby stipulate as follows:

24   1.   This matter arises out of Plaintiff's claim that she visited property owned and/or

25 operated by Defendants and encountered conditions which prevented her full and equal access

26 thereto as a result of her disabilities. Plaintiff alleges that Defendant violated Title III of the

27 Americans with Disabilities Act and related California law. This matter therefore proceeds

28 under this District's General Order 56 and related Scheduling Order.

                        STIPULATION FOR EXTENSION OF TIME

                                    Page 1

1   2.   The Parties timely conducted the required joint site inspection of the subject

2 property and met and conferred on January 24, 2018. When a settlement was not reached,

3 Plaintiff filed a Notice of Need for Mediation on March 7, 2018 (Dkt. 18). On March 13, 2018,

4 the Court appointed mediator Kari Levine ("the Mediator") (Dkt. 19).

5   3.   Although not set forth in the Scheduling Order (Doc. 4), General Order 56

6 requires that the mediation take place "in no event later than 90 days from the Date the Notice

7 of Need for Mediation is filed, unless otherwise ordered by the assigned judge." General Order

8 56, ¶ 7. Because the Notice of Need for Mediation was filed on March 7, 2018, the last date by

9 which the mediation can take place without an Order of the Court is June 5, 2018.

10   4.   The Parties and the mediator were unable to agree upon a date and time that was

11 amenable to the Parties, their counsel, and the Mediator before June 5, 2018. However, the

12 Parties, their counsel, and the Mediator have now agreed that the mediation will take place on

13 July 17, 2018 at 11:00 a.m.

14   5.   Therefore, subject to Court approval, the Parties request that the last date for the

15 mediation required by General Order 56 be continued from June 5, 2018 to July 17, 2018.

16

17   **IT IS SO STIPULATED.**

18 Dated: April 20, 2018   MISSION LAW FIRM, A.P.C.

19

20   */s/ Tanya E. Moore*
                                            Tanya E. Moore
21   Attorney for Plaintiff,
                                            Francisca Moralez
22

23 Dated: April 20, 2018   LEADER-PICONE & YOUNG, LLP

24   */s/ Malcolm Leader-Picone*
25   Malcolm Leader-Picone
                                            Attorneys for Defendants,
26   Darbri Corporation dba Markus Supply
                                            Ace Hardware, Cardanal Partners L.L.C.,
27   Sharon J. Gordon, Daniel W. Altwarg,
28   and Carol Altwarg

ATTESTATION

Concurrence in the filing of this document has been obtained from each of the individual(s) whose electronic signature is attributed above.

/s/ Tanya E. Moore
Tanya E. Moore
Attorney for Plaintiff,
Francisca Moralez

[PROPOSED] ORDER

The Parties having so stipulated, and good cause appearing,

IT IS HEREBY ORDERED that the last date by which the mediation mandated by General Order 56 must be completed is continued from June 5, 2018 to July 17, 2018.

IT IS SO ORDERED. CMC is reset from 5/31/18 to 8/2/18 at 9:30 a.m. A joint CMC statement shall be filed by 7/26/18.

Dated: 4/23/18

_____
United States Magistrate Judge

IT IS SO ORDERED
AS MODIFIED
Judge Edward M. Chen

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA