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10 APPLE COMPUTER, INC.'S SHORT  
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22 CHRISTINE CLECAK

23 UNITED STATES DISTRICT COURT  
24 NORTHERN DISTRICT OF CALIFORNIA

25 CHRISTINE CLECAK, ) Case No.: CV08-01987 WDB  
26 )  
27 Plaintiff, ) **STIPULATION TO CONTINUE**  
28 ) **DATE TO COMPLETE MEDIATION**  
v. ) **AND TO CONTINUE FURTHER**  
APPLE COMPUTER, INC.'S SHORT AND ) **CASE MANAGEMENT**  
LONG TERM DISABILITY PLAN, ) **CONFERENCE; AND ORDER**  
29 ) **THEREON**  
30 Defendant. ) Courtroom : 4  
31 ) Honorable Wayne D. Brazil  
32 )  
33 ) Filed : 4/16/2008  
34 )

35 **STIPULATION TO CONTINUE DATE TO COMPLETE MEDIATION AND TO CONTINUE FURTHER**  
36 **CASE MANAGEMENT CONFERENCE AND [PROPOSED] ORDER THEREON**  
37 USDC NDCA Case #CV08-01987 WDB  
38 384275.1

1 IT IS HEREBY STIPULATED, by and between the parties to this action, plaintiff  
2 Christine Clecak and defendant Apple Computer, Inc.'s Short and Long Term Disability Plan,  
3 acting through their attorneys of record, as follows:

- 4 1. That the parties have stipulated to mediation pursuant to ADR L.R. 6;
- 5 2. That the parties previously stipulated to complete the mediation before on or  
6 about October 7, 2008;
- 7 3. That a Further Case Management Conference has been set for October 29, 2008  
8 at 1:30 p.m. in this action;
- 9 4. That the parties and the court appointed mediator were unable to agree to a date  
10 for mediation prior to October 7, 2008;
- 11 5. That a mediation date of November 20, 2008 has been agreed to by the parties  
12 and the mediator;
- 13 6. That the date to complete mediation be continued to November 21, 2008; and
- 14 7. That the Further Case Management Conference be continued to a date after  
15 November 20, 2008.

16  
17 Date: October 3, 2008

WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP

18  
19 By: /s/ Charan M. Higbee  
20 ADRIENNE C. PUBLICOVER  
21 CHARAN M. HIGBEE  
22 Attorneys for Defendant  
APPLE COMPUTER, INC.'S SHORT  
AND LONG TERM DISABILITY PLAN

23 Date: October 2, 2008

FRICKER & MELLEN & ASSOCIATES

24  
25 By: /s/ Karen L. Creech  
26 TIMOTHY J. FRICKER  
27 JAMES G. MELLEN  
KAREN L. CREECH  
Attorneys for Plaintiff  
CHRISTINE CLECAK

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**ORDER**

Pursuant to the stipulation of the parties and good cause appearing therefore, it hereby is ordered as follows:

1. The Court sponsored mediation, pursuant to ADR L.R. 6, shall be completed by November 21, 2008; and

2. The Further Case Management Conference in this matter, currently scheduled for October 29, 2008 at 1:30 p.m., is continued to December 4, 2008, at 4:00 p.m.

**IT IS SO ORDERED.**

Date: October 6, 2008

By:   
HONORABLE WAYNE D. BRAZIL  
UNITED STATES MAGISTRATE JUDGE

1 **CERTIFICATE OF SERVICE**

2 *Christine Clecak v. Apple Computer, Inc.'s Short and Long Term Disability Plan, et al.*  
3 *USDC NDCA Case #CV08-01987 WDB*

4 I am a citizen of the United States. I am over the age of eighteen years and am not a  
5 party to the within cause. I am employed in the City and County of San Francisco, California  
6 and my business address is 525 California Street, 17<sup>th</sup> Floor, San Francisco, California 94105.

7 On this date I served the following document(s):

8 **STIPULATION TO CONTINUE DATE TO COMPLETE MEDIATION AND TO**  
9 **CONTINUE FURTHER CASE MANAGEMENT CONFERENCE; AND [PROPOSED]**  
10 **ORDER THEREON**

11 on the parties identified below, through their attorneys of record, by placing true copies thereof  
12 in sealed envelopes addressed as shown below by the following means of service:

13  : **By First Class Mail** -- I caused each such envelope, with first class postage thereon fully  
14 prepaid, to be deposited in a recognized place of deposit of the U.S. Mail in San Francisco,  
15 California, for collection to the office of the addressee following ordinary business practices.

16  : **Facsimile** – (Only where permitted. Must consult CCP § 1012.5 and California Rules of  
17 Court 2001-2011. Also consult FRCP Rule 5(e). Not currently authorized in N.D.C.A.)

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*Court Appointed Mediator*

27 ***Attorneys for Plaintiff***  
28 ***CHRISTINE CLECAK***

United States District Court  
Northern District of California  
ADR Program  
450 Golden Gate Avenue, 16th Floor  
San Francisco, CA 94102  
Tel: (415) 522-2199  
Fax: (415) 522-4112

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

EXECUTED **October 8, 2008** at San Francisco, California.

\_\_\_\_\_  
Nancy Li