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 9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**

<p>11 EQUAL EMPLOYMENT OPPORTUNITY 12 COMMISSION, 13 Plaintiff, 14 and 15 BOWEN DEAN BLACK SWAN, 16 Plaintiff-Intervenor, 17 v. 18 19 DUDLEY PERKINS COMPANY, 20 Defendant.</p>) Civil Action No. C-08-4552-CW)) STIPULATION AND JOINT) REQUEST TO CONTINUE) DISCOVERY CUT OFF;) ORDER
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 22 The parties to this case, through their counsel of record, hereby stipulate and request that
 23 the date for completion of discovery in this matter be continued three weeks from May 5, 2010,
 24 to May 26, 2010. The parties jointly make this request on the following basis:

25 The parties had four depositions noticed for the week of April 19, 2010. However, on the
 26 afternoon of April 16, 2010, the parties revived their settlement negotiations, and are hopeful
 27 that the case will resolve with a settlement. Since Plaintiff Intervenor Black Swan now resides
 28 in Hawaii, the parties have determined that at this point it would be prudent and cost effective to
 continue settlement negotiations during the week of April 19, 2010, rather than incur the expense

1 of the depositions, and, in the case of Plaintiff EEOC and Plaintiff Intervenor, the additional
2 expense of Plaintiff Intervenor traveling from Hawaii to San Francisco for her deposition.

3 The parties are requesting that the discovery cut-off date be extended to May 26, 2010
4 because the week of May 17, 2010 is the first week that all parties and their counsel are available
5 to complete the depositions.

6 There has been one prior continuance of the discovery cutoff date in this matter.

7 **E-filing Concurrence:** I, Cindy O'Hara, certify that I have obtained the concurrence of Plaintiff
8 Black Swan In Pro Per and GayLynn Kirn Conant for Defendant Dudley Perkins Company for
9 the filing of this stipulation.

10 Dated: April 19, 2010
11 Equal Employment
12 Opportunity Commission

Dated: April 19, 2010
In Pro Per

Dated: April 19, 2010
Lombardi, Loper & Conant

13 /S/ Cindy O'Hara
14 For Plaintiff EEOC

/S/ Bowen D. Black Swan
For Plaintiff Black Swan

/S/ GayLynn Kirn Conant
For Defendant Dudley Perkins
Company

15 **ORDER**

16 IT IS SO ORDERED.

17
18 Dated: April 23, 2010



U.S. District Court Judge