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16 Attorneys for Defendant, MONTGOMERY VILLAGE LIMITED PARTNERSHIP

18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA

20 HOLLYN D'LIL,  
21 Plaintiff,

CASE NO. 4:08-cv-04690-SBA

22 v.

Civil Rights

23 MONTGOMERY VILLAGE LIMITED  
PARTNERSHIP.; AND DOES 1  
24 through 35, Inclusive,

**NOTICE OF NEED FOR MEDIATION**

General Order 56 ¶ 6

25 Defendants.

No trial date

26 \_\_\_\_\_/

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1 Plaintiff HOLLYN D'LIL and Defendant MONTGOMERY VILLAGE LIMITED  
2 PARTNERSHIP hereby request that this matter be referred to the ADR mediation program for  
3 settlement discussions.

4 Good cause exists to refer this matter to mediation:

5 1. The Parties were directed to comply with General Order 56 pursuant to  
6 Scheduling Order filed by Judge Sandra B. Armstrong for civil complaints filed under Title III  
7 of the Americans with Disabilities Act ("ADA").

8 2. In compliance with General Order 56, the Parties have exchanged Initial  
9 Disclosures, pursuant to FRCP 26, and have conducted a site inspection with their respective  
10 experts. Plaintiff has provided Defendant with a report identifying barriers and proposing  
11 corrective measures to resolve Plaintiff's claims for injunctive relief.

12 3. The Parties has also conducted an in-person meeting to discuss Plaintiff's claims  
13 to resolve the injunctive relief claims. The Parties are negotiating Plaintiff's proposed barrier  
14 removal and are working to reach an agreement on the injunctive relief.

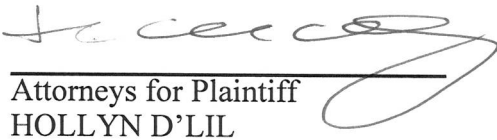
15 4. At this time the Parties are in position to profit from a referral to the Court's  
16 ADR mediation program.

17 Therefore, the Parties hereby stipulate and request a referral to mediation with the  
18 Court's ADR unit.

19  
20 Dated: 4-1, 2009

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Dated: March 31 2009

DENNIS D. STRAZULO  
SARA WILSON  
STRAZULO FITZGERALD, LLP

  
Attorneys for Defendant  
MONTGOMERY VILLAGE LP

**ORDER**

Pursuant to stipulation, and for good cause shown, **IT IS SO ORDERED**. The Parties will be referred to the ADR mediation program as soon as the calendar for the mediator and the parties permit.

Dated: 4-6-09

  
HON. SAUNDRA B. ARMSTRONG  
UNITED STATES DISTRICT JUDGE