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11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

14 RICHARD SKAFF,

Case No. C08-05407 SBA

15 Plaintiff,

**STIPULATED REQUEST FOR
 ENLARGEMENT OF TIME,
 16 DECLARATION IN SUPPORT THEREOF,
 AND ORDER ENLARGING TIME TO
 17 CONDUCT MEDIATION
 (Local Rule 6-2)**

16 vs.

17 CITY OF CORTE MADERA, and DOES 1-
 18 20, Inclusive,

19 Defendants.

20 _____ /
 21 **STIPULATED REQUEST**

22 Plaintiff, RICHARD SKAFF, by and through his attorneys, and Defendant, TOWN OF
 23 CORTE MADERA, by and through its attorneys, request for the reasons stated by the declaration
 24 of John A. Abaci set forth below that the Court extend the time to complete mediation until

25 /// ///
 26 /// ///
 27 /// ///
 28 /// ///

1 January 31, 2010.

2 SIDNEY J. COHEN
3 PROFESSIONAL CORPORATION

4
5 Dated: _____

6 _____
7 SIDNEY J. COHEN
8 Attorneys for Plaintiff, Richard Skaff

9 WALTER & PISTOLE

10 Dated: _____

11 _____
12 JOHN A. ABACI
13 Attorneys for Defendant,
14 Town of Corte Madera

15 **DECLARATION OF JOHN A. ABACI**

16 I, JOHN A. ABACI, do declare as follows:

17 1. I am an attorney licensed to practice law in the State of California and am employed by
18 the law firm of Walter & Pistole, attorneys of record for the Defendant, Town of Corte Madera.

19 2. Following a Case Management Conference held on March 18, 2009, this Court
20 referred this Action to court mediation to be completed by June 2009.

21 3. Upon stipulation of the parties and by order of this Court, the time to conduct
22 mediation was extended from June 2009 to September 30, 2009.

23 4. The plaintiff became unable to conduct mediation during September because of a
24 sudden family emergency and by stipulation of the parties and order of this Court the time to
25 conduct mediation was further extended from September 30, 2009 to November 30, 2009.

26 5. On November 2, a full-day mediation session was conducted between the parties with
27 Court Mediator, Daniel Bowling. While no resolution was reached, the mediation did result in an
28 agreement that certain additional investigation and research would be conducted by the Town to
further respond to claims being made by the plaintiff at the mediation and the Town's attorney of
record would notify the mediator and Plaintiff's attorney of record of the date by which the
additional investigation and research could be completed.

1 6. On November 13, 2009, a telephone conference was conducted between the parties’
2 attorneys and Mr. Bowling to discuss whether or not the mediation process should continue in this
3 action. During that conversation it was agreed that with certain information being exchanged in
4 advance of a second mediation session another mediation session could be conducted between the
5 parties with the objective of achieving a resolution in this case.

6 7. Shortly after this telephone conference, the date of January 14 was agreed upon as the
7 first available date for a second mediation session between the parties.

8 8. On November 18, 2009, mediator Daniel Bowling reset the mediation to January 14,
9 2010 (see November 18, 2009 docket entry).

10 9. Therefore, at this time the parties, their attorneys and Mr. Bowling expect that they
11 will be able to complete the mediation process by January 31, 2010.

12 10. As set forth in paragraphs 3 and 4, supra and at Docket entries 30 and 31, two
13 modifications have previously been made to the deadlines imposed by statute, rule of court, or by
14 the Court in this Action. In addition, by stipulated agreement Defendant supplemented initial
15 disclosures within 2 weeks of receipt of Plaintiff’s initial disclosures.

16 11. With the exception of the November 30, 2009 mediation deadline that is the subject
17 of this request for an extension, the extension of the November 30, 2009 deadline to January 31,
18 2010 to complete the mediation process will not have an effect on any time lines or deadlines
19 established by the Court in this Action.

20 12. For the reasons stated above, the parties are by this stipulation requesting that the
21 Court extend the mediation date deadline from November 30, 2009 to January 31, 2010.

22 I declare under penalty of perjury under the laws of the State of California that the
23 foregoing is true and correct.

24 Executed on November ____, 2009 in the City of Sonoma, California.

25

26

JOHN A. ABACI

27

28 /// ///

1 **ORDER ENLARGING TIME TO CONDUCT MEDIATION**

2 1. Upon the stipulated request made by the parties in this Action, the Court finds good
3 cause to continue the mediation deadline previously established by this Court.

4 2. The Court orders that the date by which the parties shall conduct mediation with a
5 court-appointed mediator be extended from November 30, 2009 to January 31, 2010.

6
7 Dated: 12/28/09


SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE