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7	And the Plaintiff Class		
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12	Telephone: (415) 882-5000 Facsimile: (415) 882-0300		
13	Attorneys for Defendant KMART CORPORATION		
14		ATES DISTRICT COUDT	
15	UNITED STATES DISTRICT COURT		
16 17	NORTHERN DISTRICT O	OF CALIFORNIA, OAKLAND DIVISION	
18	MICHAEL GILHULY, individually,) Case No. 4:10-cv-0360-PJH	
19	and on behalf of all others similarly situated,) <u>CLASS ACTION</u>	
20	Plaintiffs,) STIPULATION AND [P ROPOSED] ORDER EXTENDING MEDIATION DEADLINE	
21	VS.) EXTENDING WEDIATION DEADLINE	
22	KMART CORPORATION, and DOES 1 through 100, inclusive,	Date: October 26, 2011	
23	Defendants	Time: 9:00 a.m. Dept.: Courtroom 3, 3rd Floor	
24		Judge: Hon. Phyllis J. Hamilton	
25			
26			
27			
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	STIPULATION AND [PROP	POSED] ORDER RE MEDIATION DEADLINE	
		Dockets.Justia	

1	PLEASE TAKE NOTICE that the parties, by and through their respective counsel, hereby		
2	stipulate as follows:		
3	WHEREAS this Stipulation is enter	ed into between Representative Plaintiff Michael Gilhuly	
4	("Plaintiff") and Defendant KMART Corp	poration ("Defendant"), by and through their respective	
5	counsel of record;		
6	WHEREAS on May 6, 2010, the Co	ourt ordered the parties to complete private mediation by	
7	October 1, 2010;		
8	WHEREAS the first date on which the selected mediator and the parties are mutually		
9	available is October 4, 2010;		
10	WHEREAS the parties agree to e	extend the deadline by which to complete a private	
11	mediation session to October 4, 2010;		
12	WHEREAS the parties respectfully	request that this Court enter an order in accordance with	
13	this Stipulation to extend the mediation deadline to October 4, 2010.		
14			
15	Accordingly, IT IS HEREBY STIF	PULATED AND AGREED by the parties through their	
16	respective counsel of record that the private mediation session shall be completed by October 4,		
17	2010.		
18			
19	Dated: August 18, 2010	SCOTT COLE & ASSOCIATES, APC	
20			
21	By:	/s/ Molly A. Kuehn	
22		Molly A. Kuehn, Esq. Attorneys for the Representative Plaintiff and the Plaintiff Class	
23			
24	Datadi August 18, 2010	SONNENSCHEIN NATH & ROSENTHAL LLP	
25	Dated: August 18, 2010	SONNENSCHEIN NATH & KOSENTHAL LLP	
26	Dru	/a/ Caula M. Athonasia	
27	By:	/s/ Gayle M. Athanacio Gayle M. Athanacio, Esq.	
28		Attorneys for Defendant KMART CORPORATION	
		2	
	STIPULATION AND [PROPO	OSED] ORDER RE MEDIATION DEADLINE	

1	[PROPOSED] ORDER
2	For good cause shown, IT IS SO ORDERED.
3	TES DISTRICT
4	Dated: August <u>26</u> , 2010 By: The Hor Disso ORDERED after and the second
5	Unite (\$\$110 dige
6	Z Judge Phyllis J. Hamilton
7	VAN DISTRICT OF
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	3 STIPULATION AND [PROPOSED] ORDER RE MEDIATION DEADLINE