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 NATIONAL RAILROAD PASSENGER  
 CORPORATION dba AMTRAK  
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9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

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 12 DEBRA SPENCER,  
 13 Plaintiff,  
 14 v.  
 15 AMTRAK and DOES 1 to 5,  
 16 Defendants.

Case No. 11-cv-01042 LB

**AMENDED STIPULATION TO 45 DAY  
 EXTENSION TO COMPLETE  
 MEDIATION AND ~~PROPOSED~~ ORDER**

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 18 The parties hereby stipulate to a 45 day extension to complete court mediation, pursuant to  
 19 Local Rule 6-1. The grounds for the requested extension are as follows:

20 The parties have been unable to obtain critical medical records from plaintiff's orthopedic  
 21 surgeon, Dr. Andrew Giovannini. Dr. Giovannini has retired, and he has not responded to the  
 22 subpoena served by defendant in April 2011. Furthermore, defendant's multiple attempts to  
 23 obtain these records at the location of Dr. Giovannini's prior practice have failed. Defendant has  
 24 now noticed his deposition in an effort to gain compliance, but the parties cannot discuss  
 25 settlement nor proceed with mediation until these critical records are obtained.

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**AMENDED STIPULATION TO 45 DAY EXTENSION TO COMPLETE MEDIATION  
 AND ~~PROPOSED~~ ORDER**

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DATED: August 10, 2011

By: /s/ Robert Blumenthal  
ROBERT BLUMENTHAL  
Attorneys for Plaintiff  
DEBRA SPENCER

DATED: August 10, 2011

LOMBARDI, LOPER & CONANT, LLP

By: /s/ Laura C. Delehunt  
LAURA C. DELEHUNT  
Attorneys for Defendant  
NATIONAL RAILROAD PASSENGER  
CORPORATION

ORDER

The Court, having reviewed the stipulation of the parties to a 45 day extension to complete mediation, and the parties having demonstrated that there is good cause to grant the requested extension to allow for their attainment of critical medical records:

IT IS SO ORDERED:

The new deadline by which the parties must complete mediation is November 7, 2011.

DATED: August 19, 2011

