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5 Attorneys for Defendant **MERCEDES-BENZ USA, LLC**

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA – OAKLAND BRANCH

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 11 DEMETRIUS MANCE,
 12 Plaintiff,
 13 vs.
 14 MERCEDES-BENZ USA, LLC, and DOE 1
 through DOE 10 inclusive,
 15 Defendants.
 16

Case No.: C11-03717 LB

Honorable Laurel Beeler

**STIPULATION RE LIMITED
 DISCOVERY; MEDIATION; AND NON-
 WAIVER OF DEFENDANT’S LEGAL
 RIGHT TO FURTHER COMPEL
 BINDING ARBITRATION**

Complaint Filed: July 28, 2011

Trial Date: None Set

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 21 IT IS HEREBY STIPULATED, by and between Plaintiff DEMETRIUS MANCE
 22 (“Plaintiff”) and Defendant MERCEDES-BENZ USA, LLC (“MBUSA”), by and through their
 23 respective counsel, that:

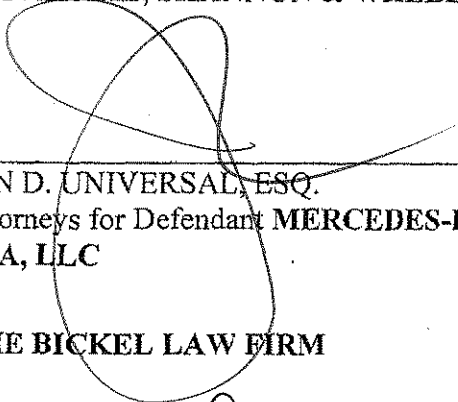
24 1. In furtherance of the court’s October 24, 2011 order following the hearing on
 25 Defendant MBUSA’s motion to compel arbitration and referring case to mediation, the parties
 26 agree to participate in court-sponsored mediation. Mediation is to be completed by no later than
 27 January 24, 2012;
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1 2. The parties agree to take a limited amount of discovery to make the mediation session
2 useful. In this regard, MBUSA will depose Plaintiff and inspect the subject vehicle with its
3 technical inspector;

4 3. Even though the parties will engage in limited discovery and participate in the court-
5 sponsored mediation session, MBUSA would not waive its right to move to compel Plaintiff to
6 arbitrate his claims pursuant to the arbitration clause in the Retail Installment Sale Contract at a
7 later date after the mediation is completed; equally, Plaintiff does not waive his right to oppose
8 Defendant's motion to compel arbitration.

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10 DATED: 10/28/11

UNIVERSAL, SHANNON & WHEELER, LLP

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14 JON D. UNIVERSAL, ESQ.
15 Attorneys for Defendant MERCEDES-BENZ
USA, LLC

16 DATED: 10/28/11

THE BICKEL LAW FIRM

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19 AMANDA L. GRAY, ESQ.
20 Attorney for Plaintiff DEMETRIUS MANCE

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22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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24 DATED: November 1, 2011

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26 
27 LAUREL BEELER
United States Magistrate Judge