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UNITED STATES DISTRICT COURT  
Northern District of California  
Oakland Division

NANCY ZIMMERSON,  
Plaintiff,

v.

WELLS FARGO & COMPANY SHORT-  
TERM DISABILITY PLAN et al.,  
Defendant.

No. C 12-3611 PJH

**ORDER RE: ATTENDANCE AT  
MEDIATION**

Date: February 4, 2013  
Mediator: Mark Humbert

UNITED STATES DISTRICT COURT  
For the Northern District of California

IT IS HEREBY ORDERED that the request to excuse counsel for defendant WELLS FARGO & COMPANY SHORT-TERM DISABILITY PLAN et al. from appearing in person at the February 4, 2013, Mediation session before Mark Humbert is DENIED. Defendant has not made adequate showing that personal attendance at the session constitutes 'extraordinary or otherwise unjustifiable hardship' as set forth in ADR L.R. 6-10(d), since defendant's law firm, Fisher & Phillips, has a local San Francisco office, and since the request is untimely.

IT IS FURTHER ORDERED that the request to excuse the corporate representative for defendant WELLS FARGO & COMPANY SHORT-TERM DISABILITY PLAN et al. from appearing in person at the February 4, 2013, Mediation session before Mark Humbert is GRANTED. Even though the request is untimely, the Court is inclined to grant the request given the represented monetary value of the case and the fact that both plaintiff's counsel, Laurence Padway, and Mediator Mark Humbert have indicated that they do not object to the request. A corporate representative with full authority to settle the case, in accordance with ADR L.R. 6-10(a)(1) shall be available at all times to participate telephonically in the mediation in accordance with ADR L.R. 6-10(f).

IT IS SO ORDERED.

Dated: January 31, 2013

By:

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Maria-Elena James  
United States Chief Magistrate Judge