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8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 OAKLAND DIVISION

12 BRENDAN HUERTA,)	CASE NO. CV 16-00434 KAW
)	
13 Plaintiff,)	
)	STIPULATION AND [PROPOSED] ORDER
14 v.)	VACATING MEDIATION DEADLINE AND
)	CONTINUING CASE MANAGEMENT
15 UNITED STATES DEPARTMENT OF)	CONFERENCE
16 AGRICULTURE, AGRICULTURE)	
17 RESEARCH SERVICE, DOES 1-20,)	
)	
18 Defendants.		

19 This case was referred to the Court’s mediation program on March 14, 2016. The mediation was
 20 initially scheduled for June 29, 2016, and the mediation deadline was modified accordingly. Later, due
 21 to plaintiff’s counsel’s trial schedule, as well as issues that arose relating to discovery and potentially
 22 liable third parties, the parties requested a continuance of the mediation deadline, which was extended to
 23 August 9.

24 More recently, after further investigation seemed to confirm that the person involved in the
 25 incident at issue in this case was an employee of a federal contractor, not a federal employee, the Court
 26 granted the parties’ stipulated request to withdraw the federal defendants’ pending motion to dismiss and
 27 allow plaintiff time to file an amended complaint naming additional parties. Plaintiff now has until
 28 August 12 to file his amended complaint. Given the likely addition of one or more new parties to this

STIPULATION VACATING MEDIATION REFERENCE AND CONTINUING CMC, AND [PROPOSED] ORDER
 CASE NO. CV 16-00434 KAW

1 action, the existing parties believe that alternative dispute resolution should be delayed until all parties
2 have appeared.¹

3 Accordingly, the parties HEREBY STIPULATE AND REQUEST that the order referring this
4 case to the court's mediation program be vacated and that the existing mediation deadline be vacated.
5 For the same reasons, the parties STIPULATE AND REQUEST that the initial case management
6 conference, currently scheduled for September 20, 2016, be continued to Tuesday, January 17, 2017, at
7 which time the issue of ADR selection can be re-visited.

8 IT IS SO STIPULATED.

9 Respectfully submitted,
10 Dated: July 29, 2016 BRADY LAW GROUP

11 /s/
12 By: _____
13 STEVEN J. BRADY
14 Attorney for Plaintiff

15 Dated: July 29, 2016 BRIAN J. STRETCH
16 UNITED STATES ATTORNEY

17 /s/
18 By: _____
19 CLAIRE T. CORMIER²
20 Assistant U.S. Attorney

21 **[PROPOSED] ORDER**

22 IT IS SO ORDERED.

23 Dated: _____ 8/2 _____, 2016

24 
25 _____
26 KANDIS A. WESTMORE
27 UNITED STATES MAGISTRATE JUDGE

28 ¹ The current court-appointed mediator, Stephen Schrey, has advised that he is willing to act as mediator for this case after the new parties are added, should all parties agree at that time.

² I, Claire T. Cormier, hereby attest that I have been authorized to submit the electronic signatures indicated by a "conformed" signature (/s/) within this e-filed document.