

1 CELIA L. MCGUINNESS, ESQ. (SBN 159420)
 STEVEN L. DERBY, ESQ. (SBN 148372)
 2 DERBY, MCGUINNESS & GOLDSMITH, LLP
 200 Lakeside Drive Suite A
 3 Oakland, CA 94612
 Phone: (510) 987-8778
 4 Fax: (510) 359-4414
 info@dmglawfirm.com

5 Attorneys for Plaintiffs
 6 TRACY ROUSSEAU and STAN ROUSSEAU

7 DOMINIQUE A. POLLARA, ESQ (SBN 141036)
 POLLARA LAW GROUP
 8 3600 American River Drive, Suite 160
 Sacramento, CA 95864
 9 Phone: (916) 55-5880
 Fax: (916) 550-5066
 10 dp@pollara-law.com

11 Attorneys for Defendants
 ST. HELENA HOSPITAL and
 12 ADVENTIST HEALTHCARE/WEST

13
 14 UNITED STATES DISTRICT COURT
 15 FOR THE NORTHERN DISTRICT OF CALIFORNIA

16 TRACY ROUSSEAU and STAN
 17 ROUSSEAU

Case No. 4:17-cv-02985 HSG

Civil Rights

18 Plaintiffs,

**STIPULATION AND ORDER TO BE
 REFERRED TO MEDIATION UNDER
 GENERAL ORDER 56**

19 v.

20 ST. HELENA HOSPITAL; AND
 21 ADVENTIST HEALTHCARE/WEST,

Action Filed: May 24, 2017

22 Defendants.

23
 24 **STIPULATION**

25 By and through their attorneys of record, Plaintiffs TRACY ROUSSEAU and STAN
 26 ROUSSEAU (“Plaintiffs”) and Defendants ST. HELENA HOSPITAL and ADVENTIST
 27 HEALTHCARE/WEST (“Defendants”) hereby stipulate and agree as follows:

28 WHEREAS, this case has been assigned for early disclosures and mediation under General

1 Order 56;

2 WHEREAS, pursuant to General Order 56, the Parties must complete a site inspection and
3 then wait 42 days before filing a Notice of Need for Mediation;

4 WHEREAS, the alleged barrier to access under the Americans with Disability Act (ADA)
5 in this case arises from policies, not architectural barriers;

6 WHEREAS, the parties agree that a site inspection is not necessary in order to prepare
7 them for mediation;

8 WHEREAS, the Parties wish to resolve this matter as expeditiously as possible;

9 IT IS HEREBY STIPULATED AND AGREED by and between the Parties that this case
10 should be referred to mediation under General Order 56 immediately.

11 **IT IS SO STIPULATED.**

12

13 Dated: July 12, 2017

DERBY, McGUINNESS & GOLDSMITH, LLP

14

15

/s/ Celia McGuinness
By: CELIA McGUINNESS, ESQ.
Attorneys for Plaintiffs
TRACY ROUSSEAU and STAN ROUSSEAU

16

17

18 Dated: July 12, 2017

POLLARA LAW GROUP

19

20

/s/ Dominique A. Pollara
By: DOMINIQUE A. POLLARA, ESQ.
Attorneys for Defendants
ST. HELENA HOSPITAL and
ADVENTIST HEALTHCARE/WEST

21

22

23

24

25

26

27

28


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Pursuant to the stipulation of the parties, and for good cause shown, it is hereby ORDERED that this case shall be referred to mediation immediately.

IT IS SO ORDERED.

Dated: July 13, 2017


Honorable Haywood S. Gilliam, Jr.
United States District Court Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILER'S ATTESTATION

Pursuant to Civil Local Rule 5-1, I hereby attest that on July 11, 2017, I, Celia McGuinness, attorney with Derby, McGuinness & Goldsmith, LLP, received the concurrence of Dominique Pollara in the filing of this document.

/s/ Celia McGuinness
Celia McGuinness