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7 Attorneys for Defendant United States of America

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 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN JOSE DIVISION

12 ERIC AUSTIN NIVA,)	No. C 03-0908 RS
13 Plaintiff,)	STIPULATION AND PROPOSED
14 v.)	ORDER CONTINUING CASE
15 UNITED STATES OF AMERICA,)	MANAGEMENT CONFERENCE
16 Defendant.)	
17)	
18)	

19 This case is currently scheduled for a case management conference on July 8, 2009.

20 The parties have been conducting discovery relating to the subject of plaintiffs' damages,
 21 including interrogatories, document requests, subpoenas for records, and depositions of the plaintiffs.
 22 Pursuant to the Court's previous order, the parties participated in a settlement conference on
 23 May 20, 2009, which was unsuccessful. After the settlement conference, plaintiffs agreed to provide
 24 additional documentation relating to damages. After defendant's counsel receives and reviews that
 25 documentation, it is anticipated that follow-up depositions of the plaintiffs may be necessary.

26 The parties have agreed to participate in private mediation under the supervision of mediator
 27 John Williams. That mediation is scheduled to take place on August 17, 2009. Accordingly, the
 28 parties request that the case management conference be continued to August 26, 2009.

STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING CMC
 C 03-0908 RS

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Respectfully submitted,

DATED: June 11, 2009

JOSEPH P. RUSSONIELLO
United States Attorney

/s/ Claire T. Cormier¹

CLAIRE T. CORMIER
Assistant United States Attorney

DATED: June 10, 2009

THE BOCCARDO LAW FIRM LLP

/s/ John C. Stein

JOHN C. STEIN
Attorney for Plaintiff

~~PROPOSED~~ ORDER

Upon stipulation of the parties and good cause appearing, IT IS SO ORDERED.

DATED: June 12, 2009



RICHARD SEEBORG
United States Magistrate Judge

¹ I, Claire T. Cormier, hereby attest that I have on file all holographic signatures for any signatures indicated by a “conformed” signature (/s/) within this e-filed document.