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8 Attorney for Plaintiff

9 UNITED STATES DISTRICT COURT
 10 FOR NORTHERN DISTRICT OF CALIFORNIA

11 MARIO BARRERAS VALENZUELA, on
 12 behalf of all similarly situated others,

13 Case No.: C09-1698 RS

14 Plaintiffs,

15 STIPULATION TO CONTINUE THE
 16 FURTHER CASE MANAGEMENT
 17 CONFERENCE & [PROPOSED] ORDER

18 vs.

19 MC2 POOL & SPA, MICHAEL & BRIAN
 20 MCFALL PTRS, GUILLERMO B MCFALL,
 21 BRIAN MCFALL, and DOES 1-10

22 Defendants

23 Parties, through their respective counsel, hereby stipulate as follows:

24 1. Parties had scheduled a mediation on January 12, 2009 based on a preliminary
 25 understanding reached between parties during the pre-mediation conference with the mediator.

2. Subsequently, a discovery dispute arose which will need to be resolved via a
 motion. This dispute will affect the mediation to go forward as scheduled. A further conference
 with the mediation was scheduled on December 10, 2009.

3. As such, at this point, with the uncertainty concerning the mediation, parties are
 not able to intelligently discuss the timetable of this case.

4. Therefore, the parties request that the further Case Management Conference currently
 scheduled for Wednesday December 16, 2009 be continued until Wednesday December 30, 2009 with
 the joint case management conference statement due on Wednesday December 23, 2009.

**STIPULATION TO CONTINUE THE FURTHER CASE MANAGEMENT CONFERENCE &
 [PROPOSED] ORDER**

Valenzuela v. Michael & Brian Mcfall PTRS., et al.

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Dated: December 9, 2009

By: /s/ Adam Wang
Adam Wang
Attorney for Plaintiff

Dated: December 9, 2009

By: /s/ P Sophie Mai
P. Sophie Mai
Attorney for Defendants

[PROPOSED] ORDER

Pursuant to parties' stipulation, IT IS ORDERED.

Date: December __, 2009

By: _____
Richard Seeborg
United States Magistrate Judge