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 26 WAHL on behalf of herself and all others
 27 similarly situated.

28 **UNITED STATES DISTRICT COURT**
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

29 MICHELLE T. WAHL, on behalf of)
 30 herself and all others similarly situated,)
 31 Plaintiff,)
 32 v.)
 33 AMERICAN SECURITY INSURANCE)
 34 COMPANY; and DOES 1-50, inclusive,)
 35 Defendants.)
 36)
 37)
 38)

Case No. C08-00555 RS

CLASS ACTION

**JOINT REQUEST [~~AND PROPOSED~~
 ORDER] FOR LEAVE TO DEFER
 PRE-TRIAL SCHEDULING**

1 The parties, by their undersigned counsel, jointly submit this request for leave to defer pre-
2 trial scheduling.

3 1. On August 5, 2010, this Court held a case management conference (“CMC”) in this
4 matter.

5 2. At the CMC, the parties advised that they have agreed to participate in a settlement
6 mediation scheduled before Judge Infante on October 11, 2010. Prior to the mediation, the parties
7 have agreed to refrain from taking depositions and to focus discovery primarily on written
8 information and documents concerning potential relief and hence necessary to prepare for the
9 mediation.

10 3. At the CMC, the Court scheduled another Case Management Conference for October
11 21, 2010, following the mediation. The Court suggested that the parties may wish to defer
12 submitting a proposed pre-trial schedule at this time and instead address that matter at next Case
13 Management Conference. While the parties previously indicated to the Court that they wish to
14 submit a proposed schedule now, upon further reflection, the parties agree that the Court’s
15 suggestion of deferring submission of a proposed pre-trial schedule until the next CMC is more
16 appropriate.

17 The parties therefore request leave to defer the setting of a pre-trial schedule until the next
18 Case Management Conference scheduled for October 21, 2010.

19 Dated: August 18, 2010

20 **STEMBER FEINSTEIN DOYLE**
21 **PAYNE & CORDES, LLC**

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22 By: s/Joseph N. Kravec, Jr.
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By: s/ Frank Burt (via email consent)
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Attorneys for Plaintiff MICHELLE T.
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IT IS SO ORDERED.

DATED: August 23, 2010

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RICHARD SEEBORG
United States Magistrate Judge