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18 UNITED STATES DISTRICT COURT
 19 FOR NORTHERN DISTRICT OF CALIFORNIA
 20 SAN JOSE DIVISION

21 JOSE FELIPE RUIZ; CARLOS AGUILAR
 22 RIVAS; MARCELINO HERNANDEZ;
 23 ALEJANDRO AGUILAR; RAMIRO
 24 HERNANDEZ PARRA

25 Plaintiffs,

vs.

ARMANDO VARGAS; JAVIER VARGAS;
 NOE VARGAS; and EDITH SAUNO.

Defendants

Case No.: 08-CV-01804 PVT

STIPULATION AND ~~PROPOSED~~ ORDER TO CANCEL MEDIATION

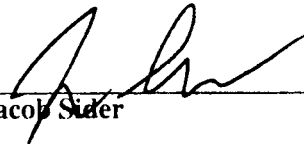
The Plaintiffs and Defendant Armando Vargas hereby stipulate to an order canceling the mediation in this matter. Three new Defendants; Javier Vargas, Noe Vargas and Edith Sauno have been added through amendment of the complaint. The Plaintiffs and Defendant Armando Vargas believe that the in order for mediation to be successful and final, the three new

1 Defendants should participate, as Defendant Armando Vargas may not be solely liable for
2 Plaintiffs' damages. As of the filing date of this stipulation, none of the three new Defendants
3 have appeared. The Plaintiffs and Defendant Armando Vargas hope that by the March 17, 2009
4 Case Management Conference, all parties will have appeared and consented to mediation, at
5 which point the Court can set a new ADR schedule.

6 FOR PLAINTIFFS

LAW OFFICES OF TOMAS E.
MARGAIN

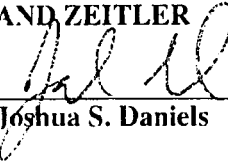
8 DATED: 2/12/2009

By: 
Jacob Sider

11 FOR DEFENDANT
12 ARMANDO VARGAS

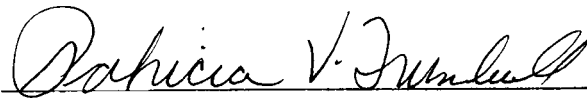
FISHMAN, LARSEN, GOLDRING
AND ZEITLER

13 DATED: 2/12/09

By: 
Joshua S. Daniels

16 SO ORDERED.

17 February 13, 2009



Honorable Magistrate Judge Patricia V. Trumbull