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7 Attorneys for Plaintiff  
 8 DR. ELLEN W. CUTLER

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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

DR. ELLEN W. CUTLER, an individual,

CASE NO. C08-CV-04650 JF

Plaintiff,

STIPULATION AND ORDER REGARDING  
 PARTICIPATION IN THE COURT'S EARLY  
 NEUTRAL EVALUATION PROGRAM AND  
FILING AMENDED COMPLAINT

v.

ENZYMES, INC., a Colorado corporation;  
 EMPIRE HEALTH, LLC, a Florida limited  
 liability company; FRANK GUZZO, an  
 individual; JAMES GREAVES, an  
 individual; and LYNN GREAVES, an  
 individual,

Defendants.

1 The parties hereby stipulate and agree to participate in the Court's Early Neutral  
2 Evaluation Program, preferably through a mediation or settlement conference with a magistrate  
3 judge. The parties believe that their resources are better devoted in the short term to the  
4 possibility of settlement, and that a brief stay in the litigation is warranted in order to explore  
5 settlement options. Accordingly, the parties stipulate to change the deadline to file the first  
6 amended complaint of Plaintiff Ellen Cutler until one week after the completion of the mediation  
7 or settlement conference with the Magistrate Judge.

8 IT IS SO STIPULATED.

9 Dated: March 25, 2009

DONAHUE GALLAGHER WOODS LLP

11 By: \_\_\_\_\_ /s/

12 William R. Hill  
13 Attorneys for Plaintiff  
DR. ELLEN W. CUTLER

14 Dated: March 25, 2009

GAUNTLETT & ASSOCIATES

16 By: \_\_\_\_\_ /s/

17 David A. Gauntlett  
18 James A. Lowe  
19 Andrew M. Sussman  
Attorneys for Defendants  
20 ENZYMES, INC. JAMES GREAVES, and LYNN  
GREAVES

21 Dated: March 25, 2009

By: \_\_\_\_\_  
Frank Guzzo (acting pro se)

23 IT IS SO ORDERED.

24 Dated: 4/9, 2009

25   
26 Hon. Jeremy Fogel  
United States District Court Judge