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 SCOTT HENRY and NANCY ZIMMERMAN

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 (SAN JOSE DIVISION)

19	SCOTT HENRY and NANCY)	Case No. C 10-00658 PSG
20	ZIMMERMAN,)	
21	Plaintiffs,)	STIPULATION AND
22	v.)	ORDER CONTINUING ADR
23	UNITED STATES OF AMERICA, and)	COMPLETION AND CASE
24	DOES 1 through 10, inclusive,)	MANAGEMENT CONFERENCE
25	Defendants.)	DATES

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STIPULATION AND ORDER CONTINUING
 ADR COMPLETION AND CMC DATES
 Case No. 10-00658 PSG

1 Defendant UNITED STATES OF AMERICA ("Defendant") and Plaintiffs SCOTT
2 HENRY and NANCY ZIMMERMAN ("Plaintiffs") by and through their respective counsel of
3 record, do hereby stipulate as follows:

4 1. The date originally set by the Court for completion of ADR in the above-captioned
5 matter was August 5, 2010.

6 2. The Court has previously granted the parties two extensions of the ADR completion
7 deadline to January 31, 2011, because a significant amount of discovery and investigation was
8 required prior to undertaking a meaningful mediation.

9 3. The parties have completed the depositions of the principal fact witnesses including
10 the driver of the government vehicle involved in the incident, the police officer witness, the
11 investigating officer, and most recently, the Plaintiffs. In addition, the parties have completed a
12 round of written discovery and obtained more than 30 years of records involving the Plaintiff's
13 complicated medical history.

14 4. The parties expect that the matter will be settled at mediation if they have sufficient
15 time to analyze the evidence and prepare their positions. However, the parties do not believe
16 they will be able to properly prepare for the mediation prior to the current mediation completion
17 date of January 31, 2011.

18 5. John Skelton of Litigation Solutions Law Group has been assigned as the mediator in
19 this matter. Mr. Skelton and the parties have provisionally agreed upon a new mediation date of
20 February 24, 2011, pending receipt of permission from the Court.

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