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BD BIOSCIENCES, INC.  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 MARION BRADSHAW,  
12 Plaintiff,

13 v.

14 BD BIOSCIENCES, INC.,  
15 Defendant.  
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Case No. CV 10-03391 (LHK)

**AMENDED STIPULATION AND ORDER  
CONTINUING EARLY NEUTRAL  
EVALUATION DEADLINE**

17 Pursuant to Federal Rules of Evidence 15(a)(3) and 16(b)(4), Plaintiff Marion  
18 Bradshaw and Defendant BD Biosciences, Inc. hereby stipulate and agree as follows:

19 WHEREAS, Plaintiff and Defendant have agreed that it is in the interest of both  
20 parties to conserve both the Parties' and the Court's resources and attempt to resolve the matter  
21 through early Early Neutral Evaluation/Mediation;

22 WHEREAS, pursuant to the Court's Order requiring the Parties to complete  
23 ENE/Mediation by March 3, 2011, Counsel made all diligent efforts to schedule an ENE/Mediation  
24 session with the assigned evaluator, Raymond Wheeler, for a date prior to the March 3, 2011  
25 deadline. Due to calendar conflicts among counsel, the parties, and the evaluator, however, the  
26 Parties were unable to do so;

27 WHEREAS, the Parties have agreed to participate in an ENE/Mediation on March 16,  
28 2011, the earliest date on which all party representatives, counsel, and the evaluator are available;

1                   **NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE,**  
2 and based on the foregoing circumstances, request that the Court establish the following modified  
3 deadlines:

- 4                   • Parties to complete ENE/Mediation by March 16, 2011;
- 5                   • All prior modifications, if any, to the Scheduling to remain in effect unless  
6                   ordered otherwise.

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8 Dated: February 4, 2011

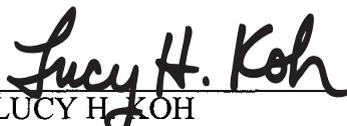
/s/  
\_\_\_\_\_  
ERIC C. BELLAFRONTO  
LITTLER MENDELSON, APC  
Attorneys for Defendant BD BIOSCIENCES, INC.

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10  
11 Dated: February 4, 2011

/s/  
\_\_\_\_\_  
STEVEN P. COHN, ESQ.  
ADVOCACY CENTER FOR EMPLOYMENT LAW  
Attorney for Plaintiff MARION BRADSHAW

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15 GOOD CAUSE APPEARING THEREFORE, IT IS SO ORDERED.

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17 Dated: February 8, 2011

  
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LUCY H. KOH  
United States District Judge