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Resub
FILED
 OCT 12 2011
 RICHARD W. WIERING
 CLERK U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

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 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA --SAN JOSE DIVISION**

11 Ely Bartolo,)	Case No. CV-10-05097 PSG
12)	
13 Plaintiff,)	STIPULATION AND REQUEST FOR
14 vs.)	ORDER TO CONTINUE MEDIATION
15 Elvira B. Cardona, Rodolfo Cardona, Monte)	DEADLINE
16 Farley Manor, Does 1-30)	_____
17 Defendants.)	

18
 19 NOW COME THE PARTIES TO THIS CASE AND STIPULATE AS FOLLOWS:

20
 21 1. Plaintiff and all Defendants agree to extend the May 2, 2011 deadline to
 22 participate in mediation to a date mutually agreeable to all parties but no later than October 31,
 23 2011; the parties have, moreover, agreed to schedule the mediation on October 18, 2011.

24 2. The basis for this stipulation to continue the present mediation deadline is that
 25 plaintiff Ely Bartolo moved from her home without informing Plaintiff's counsel. This occurred
 26 when the parties were trying to schedule the mediation. Moreover, plaintiff does not have a
 27

1 telephone number. Plaintiff's counsel was, therefore, unable to locate Ms. Bartolo to advise her
2 of said mediation.

3 3. The parties, therefore, respectfully request that the court extend the deadline to
4 participate in mediation to October 31, 2011. Plaintiff counsel has contacted defense counsel and
5 the mediator John DiNapoli have tentatively arranged a new date for the mediation.
6

7 SO STIPULATED:

8
9 Dated: September 30, 2011

LAW OFFICES OF RAFAEL CRESPO, JR.

10
11 By: 

12 RAFAEL CRESPO, JR.
13 Attorney for Plaintiff
Ely Bartolo

14 Dated: October 4, 2011

LOSCH & EHRLICH

15
16 /s/ Ronald K. Losch
17 By: _____

18 Ronald K. Losch, Esq.
19 Attorney for Defendants
Elvira B. Cardona, Rodolfo Cardona, and
Monte Farley Manor

20 PURSUANT TO STIPULATION, IT IS SO ORDERED.
21

22 DATED: 10/13/2011 _____

23 
24 Paul Singh Grewal
United States Magistrate Judge

PROOF OF SERVICE

1 I, STAN CRESPO, declare that:

2 I am a citizen of the United States and am employed in the County of San Francisco,
3 State of California. My business address is 354 Pine Street, 3rd Fl., San Francisco, CA
4 94104. I am over the age of 18 years and not a party to the within cause.

5 I am readily familiar with my employer's business practice for collection and processing
6 of correspondence for mailing with the United States Postal Office. On October 11, 2011, I
7 caused to be served: PLAINTIFF ELY BARTOLO'S STIPULATION AND REQUEST FOR
8 ORDER TO CONTINUE MEDIATION DEADLINE on:

9 Ron Losh, Esq.
10 Losch & Ehrlich
11 Attorneys-at-Law
12 425 California Street, Suite 2025
13 San Francisco, CA 94104

14 **(BY MAIL)** In a sealed envelope with postage thereon fully prepaid, I deposited such
15 envelope in the United States mail at San Francisco, California for the office of the addressee
16 above. (CCP section 1010)

17 **(BY PERSONAL SERVICE)** I caused such envelope(s) to be delivered by hand this
18 date to the office of the addressee(s).

19 **(BY FACSIMILE)** I caused the said document(s) to be transmitted by facsimile
20 machine to the number indicated after the address (es) noted above.

21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct. Executed on October 11, 2011 at San Francisco, California.

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25
26
27
28
By:


STAN CRESPO