

1 Steven M. Fink (Bar No. 47789)
 2 **MESIROW & FINK**
 3 160 W. Santa Clara Street, Suite 1180
 4 San Jose, California 95113-1733
 5 Tel: (408) 286-1200
 6 Fax: (408) 286-1211

7 Attorneys for Plaintiff,
 8 ROSEMARIE COLE

9
 10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN JOSE DIVISION**

13 ROSEMARIE COLE,
 14 Plaintiff,
 15 vs.
 16 THE PERMANENTE MEDICAL
 17 GROUP, INC., a California corporation;
 18 KAISER PERMANENTE MEDICAL
 19 GROUP, INC., a California corporation,
 20 Defendants.

21 **CASE NO. C 11-05378 PSG**
 22 **STIPULATION PURSUANT TO**
 23 **ADR L.R. 6-5 AND L.R. 7-12 TO**
 24 **EXTEND DEADLINE TO**
 25 **COMPLETE MEDIATION; AND**
 26 **PROPOSED ORDER THEREON**

27 Pursuant to ADR L.R. 6-5 and L.R. 7-12, it is hereby stipulated and agreed between
 28 the Plaintiff, Rosemarie Cole ("Ms. Cole"), and Defendants, The Permanente Medical
 Group, Inc., a California corporation, and Kaiser Permanente Medical Group, Inc., a
 California corporation (collectively, "TPMG"), by and through their respective counsel
 that:

RECITALS

1. Ms. Cole and TPMG agreed to enter into mediation as a means of trying to settle this matter. The deadline to complete mediation is now June 12, 2012.
2. A telephone conference with the Mediator, AnnaMary Gannon, and counsel for the respective parties was held on April 25, 2012.
3. Ms. Cole, TPMG and the Mediator agree that preliminary discovery should be

STIPULATION TO EXTEND MEDIATION DEADLINE; PROPOSED ORDER-
CASE NO. C 11-05378 PSG

Mesirow
&
Fink

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

completed in order to more efficiently utilize the mediation procedure.

- a. TPMG has already completed the deposition of Ms. Cole. Ms. Cole had propounded Interrogatories and a Request for Documents to TPMG. TPMG has responded thereto, raising a number of discovery issues.
- b. The parties have, by phone and correspondence, met and conferred. TPMG asserts that by entering into a Stipulated Protected Order, which TPMG has drafted, all or most of the discovery issues can be obviated.
- c. The parties are working on the Proposed Protective Order and have gone through various iterations.
- d. Once these predicate discovery issues have been resolved, Ms. Cole intends to use the information obtained from the written discovery to depose the relevant person or persons as to all of the asserted reasons that Ms. Cole was fired.

- 4. The Mediator has stated that she has no objection to extending the deadline for completion of the Mediation.
- 5. The attorney for TPMG who will be attending the Mediation, Mr. Ken Richardson, will be on vacation from June 28, 2012 to July 6, 2012, and from July 16, 2012 to July 31, 2012.
- 6. The Mediator's e-mail to counsel, following the telephone conference is attached hereto as **Exhibit A**.

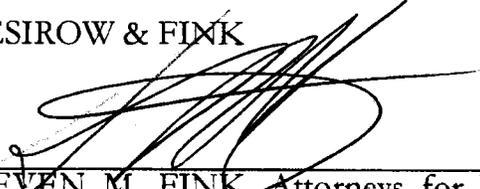
JOINT REQUEST

- 7. The parties hereby jointly request that the Court extend the deadline to complete Mediation to and until August 31, 2012.

Mesirow
&
Fink

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: 5/2/12

MESIROW & FINK


STEVEN M. FINK, Attorneys for Plaintiff,
ROSEMARIE COLE

David M. Rosenberg-Wohl
2012.05.02 14:30:47
-07'00'

Dated: _____

MARION'S INN LLP
KENNEDY P. RICHARDSON
DAVID M. ROSENBERG-WOHL
DAVID B. ANDERSON

Attorneys for Defendant,
The Permanent Medical Group, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 5/10/2012


MAGISTRATE JUDGE PAUL S. GREWAL
United States District Court
Northern District of California

Mesirow
&
Fink

STIPULATION TO EXTEND MEDIATION DEADLINE; PROPOSED ORDER-
CASE NO. C 11-05378 PSG

United States District Court
Northern District of California
San Jose Division

Case Name: *Cole v. The Permanente Medical Group, Inc., et al.*
Case No.: CV 11-05378 PSG

CERTIFICATE OF SERVICE

I, the undersigned, under penalty of perjury, certify and declare:

That I am a citizen of the United States, over 18 years of age, a resident of or employed in the County where the herein described mailing took place, and not a party to the within action.

That my business address is 160 W. Santa Clara Street, Suite 1180, San Jose, California 95113-1733.

That on behalf of Mesirov & Fink, I served the foregoing document(s) described as:

STIPULATION PURSUANT TO ADR L.R. 6-5 AND L.R. 7-12 TO EXTEND DEADLINE TO COMPLETE MEDIATION; AND PROPOSED ORDER THEREON

on the following person(s) in this action, via e-mail to the e-mail addresses set forth below:

Kennedy P. Richardson
David M. Rosenberg-Wohl
David B. Anderson
Marion's Inn, LLP
1611 Telegraph Avenue, Suite 707
Oakland, California 94612-2145

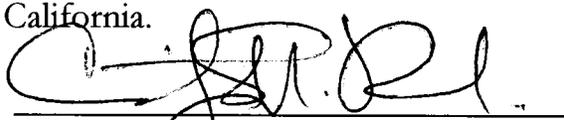
e-mail: drw@marionsinn.com

AnnaMary E. Gannon
Dillingham Murphy
225 Bush Street, 6th Floor
San Francisco, CA 94104

e-mail: amg@dillinghammurphy.com

I declare that the above service was made at the direction of a member of the bar of this Court.

Executed on May 2, 2012, at San Jose, California.


Cindy M. Rubi