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5 Attorneys for Plaintiff  
 6 SHANNON MCFARLAND

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

11 SHANNON MCFARLAND,  
 12 Plaintiff,

CASE NO. CV12-01727 RMW

13 v.

STIPULATION RE CONTINUANCE OF  
 MEDIATION DATE; ORDER BASED ON  
 STIPULATION

14 COUNTY OF SANTA CRUZ, SHERIFF  
 15 PHIL WOWAK, OFFICER WILLIAM GAZZA,  
 OFFICER CHRISTOPHER HANKES,  
 16 OFFICER JOHN HABERMEHL, BRUCE  
 MCFARLAND,  
 and DOES 1 through 100, inclusive,  
 17 Defendants.

20 TO: THE HONORABLE RONALD WHYTE:

21 RECITALS

22 This matter was set for mediation on Wednesday, November 14, 2012, at 9:00 a.m.,  
 23 at the offices of Burton, Schmal & DiBenedetto, LLP, located at 133 Mission Street, Suite  
 24 102, Santa Cruz, CA 95060, with John Skelton presiding as mediator. The Court's initial  
 25 scheduling order indicated that mediation was to be accomplished by or before December 6,  
 26 2012.

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1 When the parties and counsel arrived at the mediation at approximately 8:30 a.m. on  
2 November 14, 2012, attorney Andrew B. Kreeft received a telephone call from a family  
3 member notifying him that this father was gravely ill and that he had to leave immediately to  
4 be by his father's bedside in Pleasant Hill, CA. The parties and counsel were sympathetic to  
5 Mr. Kreeft's dire situation and agreed that the mediation could be set for another mutually  
6 convenient date, to be set as soon as practicable.

7  
8 Mr. Kreeft immediately left the mediation to attend to his gravely ill father, who indeed  
9 passed away later that day.

10 **STIPULATION**

11 NOW, at a later date, the parties and their counsel agree and stipulate as follows:

12 The mediation in this matter be held on Wednesday, December 12, 2012, at 9:00  
13 a.m., at the offices of Burton, Schmal & DiBenedetto, LLP, located at 133 Mission Street,  
14 Suite 102, Santa Cruz, CA 95060, with John Skelton presiding as mediator.

15 IT IS SO STIPULATED,

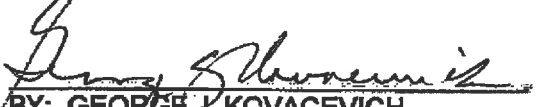
16 Dated: 11/29/12

BOHNEN, ROSENTHAL & KREEFT

17   
18 BY: ANDREW B. KREEFT  
19 Attorneys for Plaintiff,  
20 SHANNON McFARLAND

21 Dated: 11/30/12

22 ATCHISON, BARISONE, CONDOTTI &  
23 KOVACEVICH

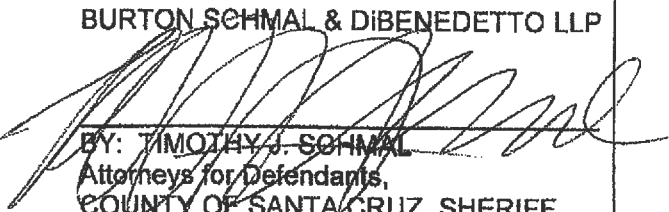
24   
25 BY: GEORGE J. KOVACEVICH  
26 Attorneys for Defendant,  
27 BRUCE McFARLAND

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1 Dated: 11/29/12

BURTON SCHMAL & DIBENEDETTO LLP

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3   
4 BY: ~~TIMOTHY J. SCHMAL~~  
5 Attorneys for Defendants,  
6 COUNTY OF SANTA CRUZ, SHERIFF  
7 PHIL WOWAK, SERGEANT WILLIAM  
8 GAZZA, DEPUTY CHRISTOPHER  
9 HANKES, DEPUTY JOHN HABERMEHL

10 **ORDER BASED ON STIPULATION**

11 Based upon the foregoing stipulation and GOOD CAUSE APPEARING, IT IS  
12 HEREBY ORDERED as follows:

13 The hearing date of the mediation in this matter is continued until Wednesday,  
14 December 12, 2012, at 9:00 a.m., at the offices of Burton, Schmal & DiBenedetto, LLP,  
15 located at 133 Mission Street, Suite 102, Santa Cruz, CA 95060, with John Skelton presiding  
16 as mediator.

17 IT IS SO ORDERED.

18 Dated: \_\_\_\_\_

19   
20 THE HONORABLE RONALD WHYTE,  
21 JUDGE OF THE U.S. DISTRICT COURT