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8	DEC and Scamanicompersure Companies		
9	UNITED STATES DISTRICT COURT		
10	NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION		
11			
12	CHERYL GREEN,	Case No. 4:09 cv 03682 SBA	
13	Plaintiff,	STIPULATION AND [PROPOSED] ORDER TO CONTINUE MEDIATION	
14	v.	COMPLETION DEADLINE AND CASE MANAGEMENT	
15	EASTMONT OAKLAND ASSOCIATES,	CASE MANAGEMENT CONFERENCE	
16	LLC; SCANLANKEMPERBARD COMPANIES; BANK OF AMERICA, NA; AND DOES 1 - 40 INCLUSIVE,		
17	Defendants.		
18			
19	Plaintiff Cheryl Green and Defendants Eastmont Oakland Associates, LLC and		
20	ScanlanKemperBard Companies, and Defendant Bank of America, NA, hereby stipulate, by and		
21	through their undersigned counsel of record, as follows:		
22	Site inspection of the subject property in this ADA access suit took place in two		
23	stages on November 10, 2009 and February 8, 2010, and the case was assigned for mediation to		
24	Kerry M. Gough on March 2, 2010. The parties understand that a mediation completion date of		
25	May 24, 2010 was assigned. The case is set for a Case Management Conference on June 2, 2010		
26	Plaintiff has not yet received a report from its access consultant and has not yet		
27	made a demand for injunctive relief. Plaintiff's counsel recently suffered the death of his wife.		
28			

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1	Given these circumstances, the parties agree that they are unable to complete mediation prior to	
2	the May 24, 2010, deadline for mediation.	
3	The parties stipulate that the mediation completion date be continued to June 30,	
4	2010, or other such date as the court deems appropriate, and that the Case Management	
5	Conference be continued to July 28, 2010, or such other date as the court deems appropriate. The	
6	parties submit that good cause for these continuances exists in that the parties continue to	
7	negotiate regarding settlement, anticipate further exchange of information, and believe that the	
8	continuances will enable them to continue the process under General Order 56, and will conserve	
9	attorneys' fees and court resources.	
10	SO STIPULATED	
11	DATED: May 13, 2010	
12	SHEPPARD, MULLIN, RICHTER & HAMPTON LLP	
13		
$_{14}$	By /s/ Deborah Martin	
15	Robert J. Stumpf, Jr. Deborah L. Martin	
16	Attorneys for Defendants Eastmont Oakland Associates, LLC, and ScanlanKemperBard Companies	
17	DATED: May 13, 2010	
18	$\mathbf{B} \parallel$	
19	BUCHALTER NEMER, APC	
20	Dry /c/ Iomas Wright	
21	By /s/ James Wright James Wright	
22	William Miller Attorneys for Defendant Bank of America, NA	
23	DATED: May 13, 2010	
24		
25	EXIVE OTTICES OF TRUE REIN	
26	By /s/ Celia McGuinness	
27	Paul L. Rein Celia McGuinness	
28	Attorneys for Plaintiff Cheryl Green	
	W02-WEST:4DLM1\402648168.1 STIPULATION AND PROPOSED ORDER CONTINUING MEDIATION COMPLETION AND CMC Case 4:09 cv 03682 SBA	

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1	IT IS HEREBY ORDERED, pursuant to the stipuation of the parties and good cause
2	appearing, that the mediation completion date currently set for May 24, 2010, be continued to June
3	30, 2010, and the Case Management Conference currently set for June 2, 2010, be continued to
4	July 28, 2010, at 2:30 p.m.
5	IT IS FURTHER ORDERED that the parties shall meet and confer prior to the conference
6	and shall prepare a joint Case Management Conference Statement that complies with the Standing
7	Order For All Judges Of the Northern District of California and the Standing Order of this Court,
8	and that shall be filed no later than 10 days prior to the Case Management Conference. Plaintiff
9	shall be responsible for filing the Statement and for arranging the conference call for the Case
10	Management Conference. All Parties shall be on the line and shall call (510) 63703559 at the
11	above indicated date and time.
12	DATED: May 14, 2010
13	Saundra B armstrong
14	The Honorable Saundra B. Armstrong Judge of the U. S. District Court
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