

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JAN 12 2012

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

CAROLYN MARTIN,

Plaintiff - Appellee,

v.

NAVAL CRIMINAL INVESTIGATIVE
SERVICE; et al.,

Defendants,

and

GERALD MARTIN, "Jerry," NCIS
Special Agent,

Defendant - Appellant.

No. 11-56717

D.C. No. 3:10-cv-01879-WQH-
MDD

Southern District of California,
San Diego

ORDER

The court has determined that this appeal will not be selected for inclusion in the Mediation Program.

Counsel are requested to contact the Circuit Mediator should circumstances develop that warrant further settlement discussions while the appeal is pending.

FOR THE COURT:

By: Peter W. Sherwood
Circuit Mediator