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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SCOTT MEYERS and LILA MEYERS on their own behalf and as INDIVIDUAL CLASS REPRESENTATIVES on behalf of all others similarly situated,

PLAINTIFFS,

vs.

CITY OF FRESNO, a Municipal Corporation; Keith Bergthold, In His Official Capacity; Brian Leong, In His Official Capacity; and DOES 1-200 inclusive,

DEFENDANTS.

CASE NO.: 1:10-CV-02359-LJO-SKO

STIPULATION FOR ADDITIONAL STAY AND ORDER

WHEREAS, Plaintiffs and Defendants continue to work with Mediator Jube J. Najarian of Jacobson, Hansen, Najarian and McQuillan, and remain actively involved in intensive settlement negotiations.

WHEREAS, the parties acknowledge and agree that the settlement negotiations remain productive and have assisted the parties in narrowing issues and identifying, addressing and resolving complex issues. The parties remain optimistic that this Action can be informally resolved;

1 WHEREAS, the parties recognize and acknowledge that the current relief sought in the Action
2 is equitable in nature (injunctions and declaratory relief) and should be efficiently and cost effectively
3 administered and addressed. However, with the equitable terms, it has been time consuming and
4 difficult to draft and negotiate prospective and prescriptive terms and covenants.

5 WHEREAS, while the parties have made considerable progress in a global settlement of this
6 Action, there remain ancillary issues and disputes in two other state court proceedings that need to be
7 addressed and resolved as part of these settlement negotiations and have slowed the progress of
8 formalizing a settlement.

9 WHEREAS, Plaintiffs and Defendants continue to negotiate and work to formalize the status of
10 the class claims and class certification alternatives and limitations;

11 WHEREAS, Plaintiffs and Defendants have further reached an agreement and desire to stay these
12 proceedings for an additional sixty (60) days to continue to engage in settlement discussions by and
13 through Mediator Jube Najarian:

14
15 It is stipulated by and between Plaintiffs and Defendants, by and through their respective counsel,
16 that:

- 17 1. Discovery and law and motion activities shall be stayed until December 30, 2013 to afford
18 time for the parties to facilitate and finalize its settlement discussions;
- 19 2. If a settlement has not been reached by December 30, 2013, the parties will submit a new
20 proposed scheduling order to the Court
- 21 3. Settlement discussions are currently ongoing and can be terminated at any time upon written
22 notice by either party, in which case litigation activities will resume; and
- 23 4. The parties may stipulate to extend the stay upon the making of a motion or upon stipulation
24 of the parties and Court approval;

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IT IS SO STIPULATED AND AGREED.

DATED: October 24, 2013

LAW OFFICES OF DANIL MONTELEONE

/s/ Jeffrey T. Belton
Danil Monteleone
Jeffrey T. Belton
Attorneys for PLAINTIFFS
SCOTT MEYERS and LILA MEYERS, et al.

DATED: October 24, 2013

BETTS, RUBIN, & MCGUINNESS
A Professional Corporation

/s/ Brady K. McGuinness
James B. Betts
Joseph D. Rubin
Brady K. McGuinness
Attorneys for DEFENDANTS
CITY OF FRESNO, KEITH BERGTHOLD, and BRIAN
LEONG

DATED: October 24, 2013

JACOBSON, HANSEN, NAJARIAN & MCQUILLAN

/s/ Jube J. Najarian
Jube J. Najarian
MEDIATOR

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ORDER

Pursuant to the parties' stipulation and good cause appearing, **IT IS HEREBY ORDERED that:**

1. The stay on discovery and all class certification shall be extended through December 30, 2013; and
2. The parties shall submit a new proposed scheduling order regarding class certification and discovery on or before January 2, 2014.

IT IS SO ORDERED.

Dated: October 29, 2013

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE