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9 **UNITED STATES DISTRICT COURT**  
10 **EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION**

11 GENERAL SECURITY SERVICES  
12 CORPORATION,

13 Plaintiff,

14 v.

15 COUNTY OF FRESNO,  
16

17 Defendant.

Case No. 1:11-cv-00724 MJS

**STIPULATION TO MODIFY  
SCHEDULING ORDER; ORDER  
THEREON.**

18 Plaintiff GENERAL SECURITY SERVICES CORPORATION (hereinafter  
19 “Plaintiff”) and defendant COUNTY OF FRESNO (hereinafter “Defendant”) hereby  
20 present the following Stipulation to Modify the current Scheduling Order in the above-  
21 captioned action to continue the existing trial date.

22 **RECITALS**

23 WHEREAS, on September 29, 2011, the Court issued its initial Scheduling  
24 Order. In said order, the trial was set for January 29, 2013.

25 WHEREAS, on October 14, 2011, the parties consented to have Magistrate  
26 Judge Michael J. Seng be the judge for all purposes in this case.

27 WHEREAS, on June 14, 2012, the Court issued an order, pursuant to the parties’  
28 stipulation, to continue the existing trial date to April 1, 2013.

1 WHEREAS, on February 19, 2013, counsel for parties tentatively agreed on  
2 behalf of their clients to engage in a settlement process. Under this process, the parties  
3 will first meet and confer to determine the extent of the existing controversy. Once this  
4 determination is made, it is the intention of the parties to engage in private mediation.  
5 Due to the large number of pieces of electronic monitoring equipment subject to  
6 Plaintiff's overall claim, the factual inquiry needed for the settlement process will be  
7 extensive. As such, the parties believe that the current trial date of April 1, 2013 leaves  
8 insufficient time for this process.

9 WHEREAS, on February 19, 2013, counsel for the parties conferred regarding a  
10 new trial date. Based on the time needed for the above-described settlement process,  
11 and the existing schedules for counsel, it was agreed that a trial date in late-July or  
12 early-August of 2013 would be proposed.

13 WHEREAS, on February 19, 2013, counsel for Defendant contacted Laurie Yu,  
14 the Courtroom Deputy for Judge Seng, concerning the parties' proposed stipulation and  
15 order. Ms. Yu represented that the parties could propose August 6, 2013, as the new  
16 trial date.

17 **STIPULATION**

18 Now, therefore, IT IS HEREBY STIPULATED AND AGREED, by and between  
19 the parties, through their respective attorneys of record that:

20 1. The existing trial date of April 1, 2013 will be vacated, and the case will be  
21 set for trial on August 6, 2013, at 8:30 a.m., in Courtroom 6 of the United States District  
22 Court in Fresno, California.

23 2. The Court will set a pre-trial conference on a date in early-July of 2013.

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1 **IT IS SO STIPULATED.**

2 Dated: February 20, 2013

3 KEVIN B. BRIGGS  
4 County Counsel

5 By: /s/ Michael Linden  
6 Michael R. Linden, Deputy  
7 Attorneys for Defendant

8 Dated: February 20, 2013

9 VAUGHN LEGAL GROUP

10  
11 By: /s/ Barak Vaughn  
12 Barak Vaughn  
13 Attorney for Plaintiff

14  
15 **ORDER**

16  
17 GOOD CAUSE APPEARING, the parties' Stipulation is accepted and made the  
18 Order of the Court. Trial in this matter is continued from April 1, 2013, until August 6,  
19 2013, at 8:30 a.m., in Courtroom 6 of the United States District Court in Fresno,  
20 California. A pre-trial conference will be held June 28, 2013, at 9:30 a.m. in said  
21 Courtroom 6.

22  
23 IT IS SO ORDERED.

24  
25 Dated: February 20, 2013

26 /s/ Michael J. Seng  
27 UNITED STATES MAGISTRATE JUDGE  
28