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7 COUNTY OF FRESNO

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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 Defendant.  
17

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 concluded that the trial date of April 1, 2013 left  
8 insufficient time for this process.

9           WHEREAS, on February 20, 2013, the Court issued an order, pursuant to the  
10 parties' stipulation, continuing the trial date to August 6, 2013.

11           WHEREAS, on May 7, 2013, counsel for the parties agreed that due to the large  
12 number of pieces of electronic monitoring equipment subject to Plaintiff's overall claim,  
13 the factual inquiry between the parties has taken longer than anticipated. As such, the  
14 parties still desiring to conduct a meaningful settlement process and mediation believe  
15 that the current trial date of August 6, 2013 will leave insufficient time for the settlement  
16 process.

17           WHEREAS, on May 7, 2013, counsel for the parties conferred regarding a new  
18 trial date. Based on the time needed for the above-described settlement process to  
19 continue, and the existing schedules for counsel, it was agreed that a trial date in  
20 October or November 2013 would be proposed.

21           WHEREAS, on May 7, 2013, counsel for Plaintiff contacted Laurie Yu, the  
22 Courtroom Deputy for Judge Seng, concerning the parties' proposed stipulation and  
23 order. Ms. Yu represented that the parties could propose November 19, 2013, as the  
24 new trial date.

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**STIPULATION**

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

1. The existing trial date of August 6, 2013 will be vacated, and the case will be set for trial on on October 18, 2013 at 9:30 a.m., in Courtroom 6 of the United States District Court in Fresno, California.

2. The Court will set a pre-trial conference on October 18, 2013 at 9:30 a.m., in Courtroom 6 of the United States District Court in Fresno, California.

**IT IS SO STIPULATED.**

Dated: May 8, 2013

KEVIN B. BRIGGS  
County Counsel

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

Dated: May 8, 2013

VAUGHN LEGAL GROUP

By: /s/ Barak Vaughn  
Barak Vaughn  
Attorney for Plaintiff

**ORDER**

Good cause appearing, the Stipulation of the parties is approved. The pre-trial conference in this case shall convene October 18, 2013 at 9:30 a.m., in Courtroom 6 of the United States District Court in Fresno, California. Trial shall commence on

1 November 19, 2013 at 9:30 a.m., in Courtroom 6 of the United States District Court in  
2 Fresno, California.

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IT IS SO ORDERED.

Dated: May 9, 2013

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE