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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WENDY WALSH, individually and as
Successor-in-Interest to SETH WALSH,
Deceased; and Sh.W., a minor, by his
Guardian ad Litem, WENDY WALSH,

Plaintiffs,

vs.

TEHACHAPI UNIFIED SCHOOL
DISTRICT; SUPERINTENDENT
SWANSON; SUSAN ORTEGA;
MR. KAMINSKY; MS. KIRBY;
MS. HAIGHT; MRS. KABONIC;
MR. FEEHAN; and DOES 1 through 100,
Inclusive,

Defendants.

) Case No. 1:11-CV-01489-LJO-JLT
)
) **ORDER RE: STIPULATION TO**
) **AMEND THE SCHEDULING ORDER**
) **TO CONTINUE THE SETTLEMENT**
) **CONFERENCE**

) **(Doc. 55)**

///

1 **STIPULATION**

2

3 1. Undersigned counsel for Plaintiff, WENDY WALSH, and undersigned counsel for
4 Defendants, TEHACHAPI UNIFIED SCHOOL DISTRICT, SUSAN ORTEGA, and PAUL
5 KAMINSKI, all of the parties who have appeared and remain in this action, hereby stipulate
6 and agree as follows:

7

8 2. WHEREAS:

- 9
- 10 • The Settlement Conference in this matter is currently scheduled for **November 7,**
11 **2013** at 10:00 a.m.;
- 12 • Defendants have signaled their intention to file a Motion for Partial Summary
13 Judgment in this case by the **November 8, 2013** dispositive motion filing deadline, to
14 be heard no later than the dispositive motion hearing deadline of **January 2, 2014;**
- 15 • Until the Court has ruled on this Motion for Partial Summary Judgment, the parties
16 do not believe that settlement negotiations in this case will bear fruit; and
- 17 • The parties believe these grounds constitute good cause for a continuance of the
18 Settlement Conference to a date by which Defendants’ Motion for Partial Summary
19 Judgment may reasonably be expected to have been ruled on, such as late January or
20 early February of 2014;

21

22 3. Undersigned counsel stipulate and agree to request that the Court enter an Order
23 amending the scheduling order in this case, such that:

- 24
- 25 • The settlement conference shall take place in late January or early February of 2014,
26 according to the Court’s schedule.
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Date: October 30, 2013

RODRIGUEZ & ASSOCIATES

By: /s/ John A. Kawai /
DANIEL RODRIGUEZ
JOEL T. ANDREESSEN
JOHN A. KAWAI
Attorneys for Plaintiffs,
WENDY WALSH and Sh.W.

Date: October __, 2013

ROBINSON & KELLAR

By: _____ /
MICHAEL C. KELLAR
Attorney for Defendants,
TEHACHAPI UNIFIED SCHOOL
DISTRICT, SUSAN ORTEGA, and
PAUL KAMINSKI

Date: October 30, 2013

POLLAK, VIDA & FISHER

By: /s/ Daniel P. Barer /
DANIEL P. BARER
Attorneys for Defendants,
TEHACHAPI UNIFIED SCHOOL
DISTRICT, SUSAN ORTEGA, and
PAUL KAMINSKI

1 **ORDER**

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3 The parties having stipulated, and good cause appearing, the Court **ORDERS:**

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5 The stipulation to amend the scheduling order is **GRANTED** as follows:

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7 The settlement conference SHALL take place on February 5, 2014, at 9:30 a.m., at

8 the United States Courthouse, 510 19th Street, Bakersfield, before Magistrate Judge Jennifer

9 L. Thurston.

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11 IT IS SO ORDERED.

12 Dated: November 4, 2013

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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