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10 Attorneys for Plaintiffs  
11 JAIME REYES JR., MIRELLA REYES and  
12 JAIME REYES SR.

13 **UNITED STATES DISTRICT COURT**  
14 **EASTERN DISTRICT OF CALIFORNIA**

15 JAIME REYES JR., THROUGH HIS )  
16 SUCCESSORS IN INTEREST )  
17 MIRELLA REYES and JAIME REYES )  
18 SR.; MIRELLA REYES, Individually; )  
19 and JAIME REYES SR., Individually, )  
20 Plaintiffs, )

21 vs. )

22 CITY OF FRESNO, a public entity, CITY )  
23 OF FRESNO POLICE CHIEF JERRY )  
24 DYER, FRESNO POLICE OFFICER )  
25 JUAN AVILA, FRESNO POLICE )  
26 OFFICER MIGUEL ALVAREZ, )  
27 individually, and DOES 3 through 10, )  
28 Jointly and Severally, )

29 Defendants. )

Case No. 1:13-cv-00418-DAD-SKO

**STIPULATION AND ORDER**  
**CONTINUING HEARING ON**  
**PLAINTIFFS' DISCOVERY MOTIONS**

1 On September 14, 2016, Plaintiffs filed three motions to compel documents concerning  
2 Defendant Avila's financial condition (Doc. 134), documents responsive to Plaintiffs' request for  
3 production no. 8 (Doc. 137), and compliance with a subpoena for production of documents served  
4 on non-party Larry Murray (Doc. 135). Plaintiffs noticed the motions for October 5, 2016, when  
5 the Court will be hearing two other motions in this case. (Docs. 129 and 130).

6 Defense counsel have both requested that the hearing on the newly filed motions be  
7 continued, due to defense counsel's scheduling conflict. Mr. Praet states he has time to argue the  
8 two motions that were already on the Court's calendar for October 5, 2016, but not additionally  
9 the three motions filed on September 14, 2016, because he has a speaking engagement later that  
10 morning. Plaintiff does not oppose continuing these three motions only (Docs. 134, 135, and  
11 137), to October 19, 2016.

12 The parties hereby stipulate and agree that these three motions only (Doc. 134, 135, and  
13 137) shall be heard on October 19, 2016, at 9:30 a.m., or as soon thereafter as the Court may hear  
14 the motions.

15 The hearing on Plaintiffs' motion to compel disclosure of Defendant Avila's disability  
16 documents (Doc. 129) and motion to modify the Protective Order to allow for criminal  
17 investigation subject to Protective Order (Doc. 130) shall remain on the Court's calendar for  
18 October 5, 2016, at 9:30 a.m.

19 Dated: September 15, 2016

**HADDAD & SHERWIN LLP**

*/s/ Julia Sherwin*

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JULIA SHERWIN  
Attorneys for Plaintiffs

22 Dated: September 15, 2016

**FERGUSON, PRAET & SHERMAN**

*/s/ Bruce D. Praet*

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BRUCE D. PRAET  
Attorneys for Defendants City of Fresno,  
City of Fresno Police Chief  
Jerry Dyer, City of Fresno  
Police Officer Miguel Alvarez

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Dated: September 15, 2016

**HAIGHT BROWN & BONESTEEL LLP**

*/s/ Kevin M. Osterberg*

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KEVIN M. OSTERBERG  
Attorneys for Defendant Juan Avila

\* Messrs. Praet and Osterberg give their permission to file this stipulation with their electronic signatures.

**ORDER**

Pursuant to the above stipulation of the parties, it is hereby ORDERED that the hearings on Plaintiffs' motions to compel production of financial condition documents (Doc. 134), to compel compliance with subpoena served on non-party Larry Murray (Doc. 135), and to compel production of documents responsive to Plaintiffs' Request for Production No. 8 (Doc. 137), currently set on October 5, 2016, are CONTINUED to October 19, 2016, at 9:30 a.m. in Courtroom 7 before Magistrate Judge Sheila K. Oberto.

The Court notes that also pending are Plaintiffs' motions to compel production of Defendant Juan Avila's disability and retirement documents (Doc. 129) and to modify the protective order (Docs. 130), which are currently set for hearing on October 5, 2016. In the interest of judicial economy and efficiency, it is further ORDERED that the hearings on these motions are also CONTINUED to October 19, 2016, at 9:30 a.m. in Courtroom 7 before Magistrate Judge Sheila K. Oberto, so that all pending motions can be heard together.

IT IS SO ORDERED.

Dated: **September 16, 2016**

*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE