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10
11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 ANGEL KEITH TOSCANO, JR.,
14 individually and as successor-in-
15 interest to Angel Keith Toscano,
16 deceased; COLE TOSCANO,
17 individually, and as successor-in-
18 interest to Angel Deith toscano,
19 deceased, by his mother and
20 Guardian Ad Litem, KIMBERLY
21 HENSON,

22 Plaintiffs,

23 vs.

24 CITY OF FRESNO, a municipal
25 corporation; JERRY DYER,
26 individually and in his capacity as
27 Chief of Police for the City of
28 Fresno; DOES 1 through 50,
inclusive; and nominal defendants
DOES 51 through 60, inclusive,

Defendants.

Case No. 1:13-cv-01987-SAB
Member Case: 1:14-cv-00186-SAB

**STIPULATION AND REQUEST TO
VACATE SETTLEMENT
CONFERENCE; ORDER THEREON**

IT IS HEREBY STIPULATED by and between the parties through their
respective counsel of record and respectfully requested that the settlement
conference date of May 28, 2015, originally set by the Court in the June 3, 2014,
Scheduling Order [Doc. 33] be vacated.

1 The parties have already voluntarily participated in a private mediation with
2 Attorney Lee Jacobsen on February 26, 2015. Although the first session of
3 mediation was not successful, the parties have reserved the ability to return to
4 mediation if it would appear beneficial as discovery in this matter continues.
5

6 As such, the parties respectfully request that the Court's settlement
7 conference set for May 28, 2015, be taken off calendar so that the parties may
8 continue with private mediation as appropriate.
9

10 DATED: May 14, 2015 FERGUSON, PRAET & SHERMAN
11 A Professional Corporation

12 By: /s/ Bruce D. Praet
13 Bruce D. Praet, Attorneys for Defendants

14 DATED: May 14, 2015 NELSON & ROZIER

15 By: /s/ John L. Rozier
16 John L. Rozier, Attorneys for Plaintiffs

17 DATED: May 14, 2015 GOLDBERG & IBARRA

18 By: /s/ Adam Rushing
19 Adam Rushing, Attorneys for Plaintiffs

20
21 The Settlement Conference of May 28, 2015, is vacated.
22

23 IT IS SO ORDERED.

24 Dated: May 14, 2015

25 
26 UNITED STATES MAGISTRATE JUDGE