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16 CITY OF LIVINGSTON

17 **UNITED STATES DISTRICT COURT**  
18 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

19  
20 California River Watch,

21 Plaintiff,

22 v.

23 City of Livingston,

24 Defendant.

Case No. 1:14-CV-00437-AWI-MJS

**STIPULATION AND  
ORDER RE FURTHER MODIFICATION  
OF SCHEDULING ORDER DEADLINES**

Judge: Hon. Anthony Ishii  
Magistrate Judge: Hon. Michael Seng

Scheduling Conference:

Date: July 31, 2014

Time: 11:00 am

Courtroom 6

Proposed New Date: September 5, 2014

Proposed New Time: 11:00 am

1 The Plaintiff, CALIFORNIA RIVER WATCH, and the Defendant, CITY OF  
2 LIVINGSTON, by and through their undersigned counsel of record, hereby stipulate  
3 and seek an Order from the Court to reschedule the date of the initial mandatory  
4 Scheduling Conference and related deadlines as set forth below:

5 WHEREAS, pursuant to Stipulation and Order re Modification of Scheduling  
6 Order Deadlines signed by the Court on May 5, 2014 (Dkt. No. 7), the current initial  
7 Scheduling Conference is scheduled for July 31, 2014, at 11:00 a.m. before U.S.  
8 Magistrate Judge Seng;

9 WHEREAS, the parties have commenced settlement negotiations and  
10 productive settlement negotiations are ongoing;

11 WHEREAS, pursuant to Federal Rule of Civil Procedure 26(f)(1), the parties  
12 met and conferred on July 10, 2014;

13 WHEREAS, during their meet and confer, the parties agreed that postponing  
14 the initial Scheduling Conference would allow the parties to focus on settlement  
15 negotiations;

16 WHEREAS, the parties have agreed that the date of the initial Scheduling  
17 Conference, as well as the deadlines for filing the Joint Scheduling Report and  
18 Initial Disclosures, should be continued as set forth herein; and

19 WHEREAS, the parties have already modified the date of the initial  
20 Scheduling Conference by an extension of twenty-eight days, and are now seeking  
21 an additional extension of thirty-six days.

22 NOW THEREFORE, it is hereby stipulated by the parties that the following  
23 deadlines should be modified as follows:

- 24 1. The initial Scheduling Conference may be continued to Friday,  
25 September 5, 2014, at 11:00 am in Courtroom 6.
- 26 2. The parties will prepare, execute, and file a Joint Scheduling Report on  
27 or before Friday, August 29, 2014.
- 28 3. The parties will defer making Initial Disclosures unless and until one

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party serves written notice on the other party to commence the exchange of Initial Disclosures, and such Initial Disclosures shall be made within thirty (30) calendar days after service of such notice.

**IT IS SO STIPULATED.**

DATED: July 18, 2014

LAW OFFICE OF DAVID J. WEINSOFF  
LAW OFFICE OF JACK SILVER

By:           /s/ David J. Weinsoff            
David J. Weinsoff  
Jack Silver  
Attorneys for Plaintiff  
CALIFORNIA RIVER WATCH

DATED: July 18, 2014

MEYERS, NAVE, RIBACK, SILVER &  
WILSON

By:           /s/ Gregory J. Newmark            
Gregory J. Newmark  
Attorneys for Defendant  
CITY OF LIVINGSTON

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**ORDER**

Having considered the Stipulation of the parties, and GOOD CAUSE appearing, this Court hereby approves the foregoing stipulation and modifies the scheduling deadlines in this matter as follows:

1. The initial Scheduling Conference is hereby continued to Friday, September 5, 2014, at 11:00 am in Courtroom 6.
2. The parties will prepare, execute, and file a Joint Scheduling Report on or before Friday, August 29, 2014.
3. The parties will defer making Initial Disclosures unless and until one party serves written notice on the other party to commence the exchange of Initial Disclosures, and such Initial Disclosures shall be made within thirty (30) calendar days after service of such notice.

All other prior dates are vacated.

IT IS SO ORDERED.

Dated: July 18, 2014

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE