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MISSION LINEN SUPPLY

12 UNITED STATES DISTRICT COURT

13 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

15 MISSION LINEN SUPPLY, a California  
16 Corporation,

17 Plaintiff,

18 v.

19 CITY OF VISALIA, and Does 1-20,  
20 inclusive,

21 Defendant.

Case No. 1:15-cv-00672-AWI-EPG

**STIPULATION AND [PROPOSED]  
ORDER REGARDING  
MEDIATION/SETTLEMENT  
CONFERENCES**

Date Complaint Filed: May 1, 2015  
Trial Date: May 23, 2017

22 This stipulation and proposed order is made by and between Mission Linen Supply and  
23 the City of Visalia (collectively referred to herein as “the Parties”).

24 Whereas, on March 15, 2017, the Parties filed a Joint Pretrial Conference Statement  
25 [Document 40] and the Parties have a status conference scheduled with the Court on March 22,  
26 2017.

27 Whereas, the Parties have informed the Court that a mediation session was scheduled  
28 with mediator Timothy Gallagher for March 28, 2017 in this case [Document 40, page 40]. The

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Parties and Mr. Gallagher have now agreed to move the mediation date from March 28 to March 31, 2017 at Mr. Gallagher’s office. This will be the first mediation session for the Parties and Mr. Gallagher in this case. Although the Parties expect to have a productive mediation session on March 31, 2017, it is anticipated that there may be follow-up mediation sessions necessary to reach a settlement among the Parties. Those follow-up mediation sessions will be scheduled by mutual agreement between the Parties and Mr. Gallagher.

Whereas, the Parties and Mr. Gallagher have agreed mediation is necessary to attempt to reach a settlement in this case. Mr. Gallagher does not require the personal attendance of the City of Visalia’s carriers at the first mediation scheduled for March 31, 2017, and those carriers may participate via telephone and WebEx presentations. It appears it is necessary for the Court to compel the personal attendance of each of the City’s carriers with authority to settle the case to attend and participate in subsequent mediation sessions at Mr. Gallagher’s office, located at 1875 Century Park East, Los Angeles, California, and the Parties request the Court allow for that personal attendance at subsequent mediation sessions.

The Parties hereby stipulate and agree that a settlement/mediation conference be set for March 31, 2017, with mediator Timothy Gallagher at his office in Los Angeles, California. The Parties further request that the Court require counsel in person, and the City’s insurers with settlement authority to participate via telephone and WebEx, at the first mediation session on March 31, and to attend subsequent mediation/settlement sessions in person.

Date: March 17, 2017

GUALCO LAW

/s/ Lori J. Gualco  
Lori J. Gualco  
Attorney for Plaintiff Mission Linen Supply

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Date: March 17, 2017

GREBEN & ASSOCIATES

/s/ Jan A. Greben, as authorized on 3/17/17  
Jan A. Greben  
Christine M. Monroe  
Attorneys for Plaintiff Mission Linen Supply

Date: March 17, 2017

HERR, PEDERSEN & BERGLUND LLP

/s/ Leonard C. Herr as authorized on 3/17/17  
Leonard C. Herr  
Attorneys for Defendant CITY OF VISALIA

**[PROPOSED] ORDER**

Accordingly, IT IS HEREBY ORDERED that:

1. The Parties shall mediate with neutral Timothy Gallagher on March 31, 2017, commencing at 9:00 a.m. at Mr. Gallagher’s office. Counsel for the Parties shall appear in person, and the City’s insurers with settlement authority are required to participate in the settlement/mediation session via telephone and WebEx. Counsel for the Parties, and the City’s insurers with settlement authority, are to participate in person at any subsequent mediation sessions scheduled after March 31, 2017 by Mr. Gallagher and the Parties.

2. The status conference scheduled for March 22, 2017, at 10:00 a.m. in Courtroom No. 2 remains on calendar as scheduled.

IT IS SO ORDERED.

Dated: March 17, 2017

  
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SENIOR DISTRICT JUDGE