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10 Attorneys for Plaintiff  
MISSION LINEN SUPPLY

12 UNITED STATES DISTRICT COURT

13 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

15 MISSION LINEN SUPPLY,  
16  
17 Plaintiff,  
18 v.  
19 CITY OF VISALIA,  
20 Defendant.

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

**JOINT STIPULATION TO CONTINUE  
THE TRIAL DATE FROM OCTOBER 3,  
2017 TO OCTOBER 11, 2017 AND  
WAIVING A JURY; AND (PROPOSED)  
ORDER**

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22  
23 Plaintiff Mission Linen Supply (“Mission Linen”), by and through its attorneys of record,  
24 Gualco Law and Lori J. Gualco, and Greben & Associates and Jan A. Greben, and Defendant  
25 City of Visalia (“City”), by and through its attorneys of record, Herr, Pedersen & Berglund LLP  
26 and Leonard C. Herr, (collectively the “Parties”) having met and conferred on the issue of  
27 continuing the trial date from October 3, 2017 to October 11, 2017, and waiving the jury, hereby  
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1 stipulate and agree that good cause exists for the continuation of the trial date in this case, and  
2 for waiving the jury trial.

3           Whereas, consistent with the Orders of the Court, [Documents 78 and 80] the Parties  
4 participated in a settlement conference with Magistrate Judge McAuliffe on September 13, 2017.  
5 The Parties did not reach a settlement in the case, but were able to meet and confer on trial issues  
6 during the settlement conference with the assistance of Magistrate Judge McAuliffe.

7           Whereas, legal counsel for the parties believe the administration of justice, resources of  
8 the court and the parties are better served by continuing the trial from October 3, 2017 to October  
9 11, 2017 and by the Parties waiving their requests for a jury trial. The Parties also inform the  
10 Court that they will be meeting and conferring early in the week of September 18, 2017, to  
11 discuss narrowing the issues for trial and potentially withdrawing certain Motions in Limine  
12 currently pending.

13           Whereas, the Parties hereby stipulate and agree as follows:

14           1.       The Parties have a hearing scheduled for September 18, 2017 on the Motions in  
15 Limine and the Jury Trial brief issues filed by Plaintiff Mission Linen and Defendant City. The  
16 Parties request that the Court reschedule the Motions in Limine to September 25, 2017 at 1:30  
17 p.m. and vacate the Jury Trial brief issues motion on September 18, 2017, as that motion is moot  
18 with the waiving of the jury trial by the Parties. As to all other pre-trial deadlines, the Parties  
19 request that the Court move those deadlines to one week later.

20           2.       A Jury Trial in this case is waived by Mission Linen and the City.

21           3.       The Parties request a status conference be scheduled on September 25, 2017 at  
22 1:30 p.m. to discuss pending trial issues with the Parties.

23           4.       Plaintiff Mission and Defendant City agree that the trial scheduled for October 3,  
24 2017 be continued to October 11, 2017 at 8:30 a.m. in the courtroom of Judge Anthony W. Ishii.

1           5.       Plaintiff Mission and Defendant City jointly move for an order regarding the  
2 above dates.

3  
4 September 14, 2017

GUALCO LAW

6 By: /s/ Lori J. Gualco as authorized on 9/14/17  
7 LORI J. GUALCO  
8 Attorney for Plaintiff MISSION LINEN  
9 SUPPLY

GREBEN & ASSOCIATES

10 Dated: September 14, 2017

11 By: /s/Jan A. Greben as authorized on 9/14/17  
12 JAN A. GREBEN  
13 Attorneys for Plaintiff MISSION LINEN  
14 SUPPLY

15 Dated: September 14, 2017

HERR PEDERSEN & BERGLUND LLP

16 By: /s/ Leonard C. Herr as authorized on 9/14/17  
17 LEONARD C. HERR  
18 Attorneys for Defendant CITY OF VISALIA

19 **ORDER**

20 Based on the above Joint Stipulation of Plaintiff Mission Linen Supply and Defendant  
21 City of Visalia, IT IS HEREBY ORDERED that:

22 1.       The Parties have a hearing scheduled for September 18, 2017 on the Motions in  
23 Limine and the Jury Trial brief issues filed by Plaintiff Mission Linen and Defendant City. The  
24 Court reschedules the Motions in Limine to September 25, 2017 at 1:30 p.m. and vacates the  
25 Jury Trial brief issues motion on September 18, 2017, as that motion is moot with the waiving of  
26 the jury trial by the Parties. As to all other pre-trial deadlines, the Court hereby moves those  
27 deadlines to one week later than the dates currently scheduled.  
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2. A Jury Trial in this case is waived by Mission Linen and the City.

3. A status conference is scheduled on September 25, 2017 at 1:30 p.m. to discuss pending trial issues with the Parties.

4. Trial scheduled for October 3, 2017 shall be continued to October 11, 2017, at 8:30 a.m. in the courtroom of Judge Anthony W. Ishii.

5. As soon as possible, but no later than 9:30 a.m. on Wednesday, September 20, 2017, the parties shall each inform the Court as to which currently pending motions will be withdrawn, and each party shall file a corresponding formal notice of withdrawal.

IT IS SO ORDERED.

Dated: September 14, 2017

  
\_\_\_\_\_  
SENIOR DISTRICT JUDGE