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 6 ESTATE OF CHRISTOPHER MCDANIEL

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 STATE OF CALIFORNIA  
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12 Attorneys for Defendants, County of Kern, Kern County Sheriff's Department,  
 13 Aaron Warmerdam and Jeffrey Kelly

14 UNITED STATES DISTRICT COURT  
 15 EASTERN DISTRICT OF CALIFORNIA

16 THE ESTATE OF CHRISTOPHER )  
 17 MCDANIEL, CAMERON MCDANIEL, )  
 18 individually and as Successor in )  
 Interest to CHRISTOPHER )  
 19 MCDANIEL, DAMON MCDANIEL )  
 20 individually, and GUNNER MCDANIEL, )  
 individually, by and through his )  
 21 *Guardian Ad Litem* CATHY LOWELL )

Case No.: 1:15-CV-01320-JAM-JLT

NOTICE OF CONDITIONAL  
 SETTLEMENT AND ORDER

22 Plaintiff,

23 vs.

24 )  
 25 COUNTY OF KERN, KERN COUNTY )  
 26 SHERIFF'S DEPARTMENT, AARON )  
 27 WARMERDAM, JEFFREY KELLEY, )  
 and DOES 1 THROUGH 25, )  
 28 INCLUSIVE, )

Defendants

1 TO THE HONORABLE COURT:

2 Please be advised that the parties have reached a settlement of the above  
3 referenced matter in its entirety. The settlement is conditional upon:

- 4 1. Board Approval by the Kern County Board of Supervisors. The next  
5 meeting of the Kern County Board of Supervisors is November 7, 2017.  
6 2. The Court's Approval of a Stipulated Petition for Approval of Compromise  
7 of Minor's Claim for Plaintiff GUNNAR MCDANIEL.

8 BASED ON THE FOREGOING, the parties request:

9 That the November 6, 2017 trial date be vacated and reset only in the  
10 event of failure of the above-referenced conditions.

11 DATED: October 26, 2017

**LAW OFFICE OF MICHAEL J. CURLS**

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14 By: \_\_\_\_\_ /s/  
15 Nichelle D. Jones, Attorneys for  
16 Plaintiffs THE ESTATE OF CHRISTOPHER  
MCDANIEL, *et al.*

17  
18 DATED: October 26, 2017

**MARK NATIONS, COUNTY COUNSEL**

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21 By: \_\_\_\_\_ /s/  
22 Marshall S. Fontes, Deputy  
23 Kathleen S. Rivera, Deputy  
24 Attorneys for Respondents  
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**ORDER**

IT IS HEREBY ORDERED:

1. The November 6, 2017 trial date is vacated.
2. The Stipulated Petition for Approval of Compromise of Minor's Claims shall be filed on or before November 21, 2017 and the hearing, if necessary shall take place on December 5, 2017 at 1:30 p.m. in Courtroom 6 of the Robert T. Matsui Courthouse.
3. A new trial date shall be set only in the event of failure of the conditions of settlement.

DATED: 10/26/2017

/s/ John A. Mendez  
United States District Court Judge