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MELISSA M. NEYLON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MELISSA M. NEYLON AND SHAWN P.
NEYLON,

Plaintiff,

v.

COUNTY OF INYO, WILLIAM R.
LUTZE, RALPH DOUGLAS RICHARDS,
MICHAEL DURBIN, and DOES 1 to 50,

Defendants.

CASE NO. 1:16-cv-00712-AWI-JLT

**JOINT STIPULATION TO CONTINUE
SETTLEMENT CONFERENCE;
[PROPOSED] ORDER**

(Doc. 69)

1 This Stipulation is entered into by and between Plaintiffs MELISSA M. NEYLON and
2 Defendants COUNTY OF INYO; WILLIAM R. LUTZE; RALPH DOUGLAS RICHARDS; and
3 MICHAEL DURBIN, through counsel of record. The Parties have conferred and agree to continue
4 the Settlement Conference, from March 19, 2018, to July 16, 2018 or to a date convenient to the
5 Court after Defendants' Motion for Summary Judgment has been decided.

6 The parties have engaged in meet and confer efforts regarding Defendants' forthcoming
7 Motion for Summary Judgment but have been unable to narrow the issues in dispute at this time.
8 Defendants are preparing to file this motion which they believe is dispositive. Plaintiff disagrees
9 that this motion will be dispositive.

10 The parties have conducted preliminary settlement discussions in preparing for the
11 upcoming Settlement Conference and maintain vastly divergent views on both liability and
12 damages in this case. Defendants believe that the Court's ruling on Defendants' anticipated Motion
13 for Summary Judgment will be greatly helpful in narrowing and/or solidifying the issues in dispute,
14 if any, and furthering settlement discussions. Indeed, based on the preliminary settlement
15 discussions, the settlement conference may not be very fruitful because of the issues on the
16 anticipated Motion for Summary Judgment. Therefore, the parties submit there exists good cause to
17 continue the Settlement Conference to July 16, 2018 or to a date convenient to the Court after
18 Defendants' Motion for Summary Judgment has been decided.

19 The parties are mindful of the Court's Order dated February 26, 2018 which continued the
20 expert discovery deadline in this case to May 8, 2018 and further ordered that no other amendments
21 to the case schedule are authorized. The parties respectfully submit that it does not affect the case
22 calendar to move the Settlement Conference to a more fruitful date after the parties have fully
23 briefed and the Court has heard/ruled on Defendants' dispositive motion. The parties seek to avoid
24 unnecessary expenditure of the Court's time and resources to conduct a Settlement Conference
25 before a realistic possibility of settlement exists.

26 Accordingly, the parties stipulate to continue the Settlement Conference, from March 19,
27 2018, to July 16, 2018 or to a date convenient to the court.

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IT IS SO STIPULATED.

Dated: March 9, 2018

PORTER SCOTT
A PROFESSIONAL CORPORATION

By /s/Carl L. Fessenden
Carl L. Fessenden
Dan J. Bardzell
Attorneys for Defendants

Dated: March 9, 2018

LAW OFFICE OF MARK E. MERIN

By /s/ Mark E.Merin [Authorized on 3/9/18]

Mark E. Merin
Paul H. Masuhara
Attorneys for Plaintiff MELISSA M.
NEYLON

[PROPOSED] ORDER

Based upon the Stipulation of the parties, and good cause shown:

1. The Settlement Conference is continued from March 19, 2018, to July 16, 2018 at 9:30 a.m.

IT IS SO ORDERED.

Dated: March 12, 2018

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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