David J. Frankenberger, #186140 Michael E. Lehman, #133523 ERICKSEN ARBUTHNOT Attorneys At Law 2440 West Shaw Avenue, Suite 101 3 Fresno, California 93711 Phone (559) 449-2600 4 Fax (559) 449-2603 5 Attorneys for Defendant COUNTY OF KERN, LISA GREEN, SCOTT TUNNICLIFFE and CHARLES BROWN 6 7 8 UNITED STATES DISTRICT EASTERN DISTRICT OF CALIFORNIA 9 10 JAY WINN, Case No. 1:16-CV-01021-DAD-JLT 11 12 Plaintiffs, STIPULATION TO CONTINUE 13 **SETTLEMENT CONFERENCE** v. **HEARING**; **PROPOSED ORDER** 14 COUNTY OF KERN, a municipality; LISA (Doc. 23) 15 GREEN, individually and in her official capacity; SCOTT TUNNICLIFFE, individually 16 and in his official, 17 Defendant(s). 18 19 The Parties hereby stipulate by and through their respective counsel that the Settlement 20 Conference currently scheduled for January 4, 2018 be continued to a date set by the court herein. 21 This stipulation is based upon the fact that lead counsel for County of Kern recently associated in 22 and had to review the file materials provided by the County in order to prepare for the Settlement 23 Conference which had been previously scheduled for December 18, 2017. Defendants' associated 24 25 counsel has now reviewed the file materials, and upon attempting to contact Kern County 26 Counsel's office to discuss the settlement conference, associated counsel learned that the County 27 Counsel's office is closed between December 22, 2017 to January 2, 2018, by an imposed 28 STIPULATION TO CONTINUE SETTLEMENT CONFERENCE HEARING: PROPOSED ORDER

furlough. 1 2 Therefore, associated counsel cannot respond to Plaintiff's settlement demand, nor can it 3 submit its settlement conference statement, without further discussion with County Counsel's 4 office. In order to participate in a meaningful settlement conference the parties request that the 5 currently scheduled settlement conference be continued to January 29, 2018. 6 7 8 DATED: December 28, 2017 **ERICKSEN ARBUTHNOT** 9 By /s/ Michael E. Lehman_ 10 Michael E. Lehman 11 Attorney for Defendants COUNTY OF KERN, LISA GREEN, 12 SCOTT TUNNICLIFFE and CHARLES **BROWN** 13 14 15 DATED: December 28, 2017 ADAMS, FERRONE & FERRONE 16 By /s/ Michel A. McGill_ 17 Michael A. McGill Attorney for 18 Plaintiff JAY WINN 19 20 /// 21 /// 22 /// 23 /// /// 24 25 /// /// 26 /// 27 28

PROPOSED ORDER For all of the above reasons the settlement conference scheduled for January 4, 2018 is hereby moved to January 29, 2018 but at 1:30 p.m. (rather than 9:30) at the United States Courthouse at 510 19th Street, Bakersfield, CA. IT IS SO ORDERED. Dated: **December 28, 2017** /s/ Jennifer L. Thurston UNITED STATES MAGISTRATE JUDGE PROOF OF SERVICE STATE OF CALIFORNIA **COUNTY OF FRESNO**

1	I am a resident of the County aforesaid; I am over the age of 18 years and not a party to t within action; my business address is: 2440 West Shaw, Suite 101, Fresno, CA 93711-3300. I a familiar with the regular mail collection and processing practices of said business, and in t ordinary course of business the mail is deposited with the United States Postal Service that sar day.	
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4	On December 28, 2017, I served the within STIPULATION TO CONTINUI SETTLEMENT CONFERENCE HEARING; PROPOSED ORDER by placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in the United State Mail at Fresno, California, addressed as follows:	
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7	Attorney for Plaintiff	Attorneys for County of Kern, Lisa Green,
8	Michael A. McGill Adams, Ferrone & Ferrone	<u>Scott Tunnicliffe and Charles Brown</u> Mark L. Nations, County Counsel
9	4333 Park Terrace Drive, Suite 200	Andrew Thomson, Deputy County Counsel
,	Westlake Village, California 91361	Kern County Administrative Center
10	Fax: 818-874-1382	1115 Truxtun Avenue, Fourth Floor
11		Bakersfield, CA 93301
12		Fax: 661-868-3805
12	I declare under penalty of perjury under the laws of the State of California the above is tru	
13	and correct.	
14	Executed on December 28, 2017, at Fresno, California.	
15		
16	Kalyn Stonacek	
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