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10 **UNITED STATES DISTRICT COURT**  
11 **EASTERN DISTRICT OF CALIFORNIA**

12 DAVID MUGRIDGE,

13 Plaintiff,

14 v.

15 PAUL A. SCHLICHTING

16 Defendants.

CASE NO. 1:16-cv-01225-LJO-SAB

**STIPULATION AND ORDER TO  
CONTINUE PLAINTIFF DAVID  
MUGRIDGE'S MOTION FOR  
SUMMARY JUDGMENT**

17 WHEREAS, Plaintiff DAVID MUGRIDGE's ("Plaintiff"), Motion for Summary Judgment is set  
18 to be heard on October 25, 2016 at 8:30 a.m. in Courtroom 4;

19 WHEREAS, Defendant PAUL A. SCHLICHTING ("Defendant"), retained counsel for the first  
20 time on Saturday, October 8, 2016;

21 WHEREAS, counsel for Plaintiff and Defendant have been participated in settlement discussions  
22 since Monday, October 9, 2016;

23 WHEREAS, Plaintiff and Defendant wish to focus their efforts and limited resources on resolving  
24 this dispute, and/or narrowing issues, and removing barriers to access rather than respond to Plaintiff's  
25 Motion for Summary Judgment and take other action that may be necessary to properly litigate this matter;

26 WHEREAS, Plaintiff and Defendant wish additional time to attempt resolution of the matter  
27 without incurring fees and costs associated with filing additional pleadings, preparing for and attending  
28 the hearing on the Motion for Summary Judgment as currently scheduled;

WHEREAS, the parties wish to conserve the Court's resources and time and not unnecessarily

burden the Court with a matter that may be informally resolved;

NOW, THEREFORE, Plaintiff DAVID MUGRIDGE, by and through his counsel of record, Layne Hayden of Layne Hayden Attorney at Law, and Defendant PAUL A. SCHLICHTING, by and through his counsel of record, Keith M. White of Coleman & Horowitz, LLP hereby stipulate as follows:

1. That Plaintiff DAVID MUGRIDGE's Motion for Summary Judgment set for October 25, 2016, be continued to a date after December 13, 2016 to allow the parties to thoroughly explore the informal resolution of the matter and for the parties to properly respond to Plaintiff's complaint, potentially amend the Complaint (and Scheduling Order), oppose Plaintiff's Motion for Summary Judgment and take other action that may be necessary to properly litigate this action if settlement is not reached.

Dated: October 13, 2016

COLEMAN & HOROWITT, LLP

By: /s/ Keith M. White  
KEITH M. WHITE  
Attorneys for Defendant,  
PAUL A. SCHLICHTING

IT IS SO STIPULATED:

Dated: October 13, 2016

LAYNE HAYDEN ATTORNEY AT LAW

By: /s/ Layne Hayden  
LAYNE HAYDEN  
Attorney for Plaintiff  
DAVID MUGRIDGE

(Order on following page.)

**ORDER**

1 Upon reading and reviewing the above Stipulation, and good cause therefor appearing,

2 IT IS HEREBY ORDERED as follows:

3 1. The hearing on the Motion for Summary Judgment of this matter currently set for October  
4 25, 2016 at 8:30 a.m. in Courtroom 4 be continued to **December 15, 2016 at 8:30 a.m.** in Courtroom 4.  
5 If the parties wish to file amended pleadings or otherwise modify the Court's Scheduling Order, they must  
6 do so by appropriate stipulation and order or motion.

7 2. The parties are informed that it is this Court's practice to review pending motions upon the  
8 expiration of the reply deadline to determine whether a hearing is necessary or would be helpful. The  
9 Court will notify the parties shortly thereafter by minute order whether the motion will be taken under  
10 submission on the papers pursuant to Local Rule 230(g).

11  
12 IT IS SO ORDERED.

13 Dated: October 13, 2016

/s/ Lawrence J. O'Neill  
UNITED STATES CHIEF DISTRICT JUDGE