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| 6 | | |
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| 12 | DISTRICT | |
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| 15 | EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION | |
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| 17 | R.Q. (A minor, by and through his parent and Guardian ad Litem, CHARIS QUATRO), | Case No. 1:16-CV-01485-LJO-JLT |
| 18 19 | Plaintiff, | STIPULATION AND PROPOSED ORDER TO CONTINUE SETTLEMENT CONFERENCE |
| 20 | V. | (Doc. 52) |
| 21 | TEHACHAPI UNIFIED SCHOOL DISTRICT, | (Duc. 32) |
| 22 | Defendant. | |
| 23 | | |
| 24 | IT IS HEREBY STIPULATED, by and | between the parties, through their respective counsel, |
| 25 | Defendant TEHACHAPI UNIFIED SCHOOL DISTRICT ("Defendant") and Plaintiff, R.Q. (A minor | |
| 26 | by and through his parent and Guardian ad Litem, CHARIS QUATRO) ("Plaintiff"), as follows: | |
| 27 | 1. In light of the Plaintiff's | pending appeal of the District Court's decision |
| 28 | regarding the IDEA matter in this case to the 9 th Circuit Court of Appeals, the | |
| I | 1 | |

STIPULATION TO CONTINUE SETTLEMENT CONFERENCE

| 1 | parties stipulate to continuing the scheduling conference for all non-IDEA | |
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| 2 | claims in this matter. | |
| 3 | 2. The parties stipulate to continue the scheduling conference currently scheduled | |
| 4 | for March 13, 2017, until after the 9 th Circuit Court of Appeals issues its final | |
| 5 | decision regarding this Court's decision in the IDEA claims. | |
| 6 | | |
| 7 | Dated: February 16, 2018 LAW OFFICE OF ANDREA MARCUS | |
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| 9 | Bv:/S/ | |
| 10 | By: /S/ Andrea Moore Marcus Attorneys for R.Q. (a minor, by and through his | |
| 11 | parent and Guardian ad Litem, CHARIS QUATRO) | |
| 12 | Dated: February 16, 2018 McCORMICK, BARSTOW, SHEPPARD, | |
| 13 | WAYTE & CARRUTH LLP | |
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| 15 | By:/S/ Anthony N. DeMaria | |
| 16 | Anthony N. DeMaria Attorneys for TEHACHAPI UNIFIED | |
| 17 18 | SCHOOL DISTRICT | |
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| 21 | ORDER | |
| 22 | Passed upon the stimulation of the parties, the Court OPDEDS: | |
| 23 | Bused upon the supulation of the parties, the court of the parties. | |
| 24 | 1. The case is STAYED . The scheduling conference will be re-set upon the completion | |
| 25 | of the appeal: | |
| 26 | 2. Within 120 days and every 120 days thereafter, counsel SHALL file a joint report | |
| 27 | detailing the status of the appeal. In addition, no later than 14 days after the ruling on the appeal, | |
| 28 | counsel SHALL file a joint status report discussing whether the stay should be lifted and, if the | |
| | | |

| 1 | plaintiff does not succeed on appeal, whether the plaintiff intends to pursue the remaining claims. |
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| 2 | |
| 3 | IT IS SO ORDERED. |
| 4 | Dated: February 21, 2018 /s/ Jennifer L. Thurston |
| 5 6 | Dated: February 21, 2018 /s/ Jennifer L. Thurston UNITED STATES MAGISTRATE JUDGE |
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STIPULATION TO CONTINUE BRIEFING SCHEDULE AND HEARING