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15 **UNITED STATES DISTRICT COURT**
16 **EASTERN DISTRICT OF CALIFORNIA**

17
18 UNITED STATES OF AMERICA,

19 Plaintiff,

20
21 v.

22 29.81 ACRES OF LAND, MORE OR
23 LESS, SITUATE IN KERN COUNTY,
24 CALIFORNIA, AND MALEK &
25 SCHIPPER INVESTMENT AND
DEVELOPMENT CORP., *et al.*

26 Defendants.

CASE NO. 1:17-CV-00932-LJO-JLT

**NOTICE OF SETTLEMENT AND
STIPULATION AND ORDER TO
VACATE SETTLEMENT
CONFERENCE
(Doc. 45)**

1 Pursuant to L.R. 160(a), Plaintiff United States of America and Defendant Malek &
2 Schipper Investment and Development Corporation, by and through their undersigned counsel,
3 respectfully notify the Court the parties have reached an agreement in principle to settle the just
4 compensation to be paid for the property taken in this case. The parties are currently preparing a
5 Stipulated Final Judgment to be submitted to the Court for approval within the next 21 days,
6 unless otherwise ordered by the Court. L.R. 160(b). Accordingly, the parties request the Court
7 vacate the Scheduling Conference currently set for October 29, 2018 (Dkt. 44).
8

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10 DATED: October 18, 2018

Respectfully submitted,

11 JEFFREY H. WOOD
12 Acting Assistant Attorney General

13 */s/ Reade E. Wilson*
14 READE E. WILSON
15 */s/ Anthony C. Gentner*
16 ANTHONY C. GENTNER
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19 PETERSON LAW GROUP
20 PROFESSIONAL CORPORATION

21 */s/ Christopher D. Peterson*
22 CHRISTOPHER D. PETERSON
23 Attorneys for Defendant Malek & Schipper
24 Investment and Development Corporation

25 ORDER

26 Based upon the stipulated notice of settlement, the Court **ORDERS**:

- 27 1. The stipulation to dismiss the action **SHALL** be filed **no later than November**
28 **16, 2018**;
2. All pending dates, conferences and hearings, including the settlement conference
set on October 29, 2018, are **VACATED**.

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The parties are advised that failure to comply with this order may result in the Court imposing sanctions, including the dismissal of the action.

IT IS SO ORDERED.

Dated: October 19, 2018

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE