

1 LAW OFFICES OF PANOS LAGOS  
2 Panos Lagos, Esq. / SBN 61821  
3 5032 Woodminster Lane  
4 Oakland, CA 94602  
(510)530-4078  
(510)530-4725/FAX  
[panos@panoslagoslaw.com](mailto:panos@panoslagoslaw.com)

5 Attorney for Plaintiffs,  
6 GARRETT JAMES SCHMIDT, Deceased, through his Co-Successors in Interest,  
7 JAMES A. SCHMIDT, and CYNTHIA SCHMIDT

8 Blake P. Loebs (SBN 145790)  
9 bloebs@meyersnave.com  
10 David Mehretu (SBN 269398)  
11 dmehretu@meyersnave.com  
12 MEYERS, NAVF, RIBACK, SILVER & WILSON  
13 555 12th Street, Suite 1500  
14 Oakland, California 94607  
Telephone: (510) 808-2000  
Facsimile: (510) 444-1108

15 Attorneys for Defendants,  
16 CITY OF MODESTO, a public entity; CITY OF MODESTO POLICE CHIEF GALEN L.  
17 CARROLL, in his individual capacity; CITY OF MODESTO POLICE OFFICERS ALEX  
18 BETTIS, JOSEPH LAMANTIA, TYLER CALDWELL, DARIEN WILSON

19 UNITED STATES DISTRICT COURT

20 EASTERN DISTRICT OF CALIFORNIA

21 JAMES A. SCHMIDT, individually; ) Case No.: 1:17-cv-01411-DAD-MJS  
22 CYNTHIA SCHMIDT, individually; )  
23 JAMES A. SCHMIDT and CYNTHIA SCHMIDT ) JOINT STIPULATION AND ORDER  
24 as Joint Successors in Interest for ) TO CONTINUE FEBRUARY 15,  
25 GARRETT JAMES SCHMIDT, Deceased ) 2018 MANDATORY SCHEDULING  
26 ) CONFERENCE  
27 Plaintiffs, )  
28 v. )  
29 CITY OF MODESTO, a public entity; )  
30 CITY OF MODESTO POLICE CHIEF )  
31 GALEN L. CARROLL, in his individual capacity; )  
32 CITY OF MODESTO POLICE OFFICERS )  
33 ALEX BETTIS, JOSEPH LAMANTIA, )  
34 TYLER CALDWELL, DARIEN WILSON, )  
35 JOSHUA SHACKELFORD, and DOES 1-10, )  
36 jointly and severally, )  
37 Defendants. )  
38 )

STIPULATION TO CONTINUE 2/15/18 SCHEDULING CONFERENCE  
*Schmidt v. City of Modesto, et al.*

USDC (E.D. Cal.) Case No.: 1:17-cv-01411-DAD-MJS

1 Plaintiffs and Defendants by and through their respective counsel, hereby stipulate to  
2 continue the Mandatory Scheduling Conference now set before the Honorable Michael J. Seng  
3 from February 15, 2018 at 10:30 a.m. in Courtroom 6, 6<sup>th</sup> Floor, United States Courthouse, 2500  
4 Tulare Street, Fresno, CA, 93721, to March 1, 2018 at 10:30 a.m. in Courtroom 6, 6<sup>th</sup> Floor,  
5 United States Courthouse, 2500 Tulare Street, Fresno, CA, 93721.

6 The continuance is requested by Panos Lagos, counsel for Plaintiff, who is set for Oral  
7 Argument in the United States Court of Appeals for the Ninth Circuit on February 15, 2018 at  
8 9:30 a.m. in Courtroom 1 of the James R. Browning U.S. Courthouse in San Francisco in the  
9 case of *Castellanos v. Maya*, Case Number: 17-15034.

10  
11 Respectfully submitted,

12 Dated: December 8, 2017

LAW OFFICES OF PANOS LAGOS

13  
14 /s/Panos Lagos  
15 Panos Lagos, Esq.  
16 Attorney for Plaintiffs,  
17 GARRETT JAMES SCHMIDT, Deceased,  
18 through his Co-Successors in Interest,  
19 JAMES A. SCHMIDT, and CYNTHIA SCHMIDT

20 Dated: December 8, 2017

21 MEYERS, NAVÉ, RIBACK, SILVER & WILSON

22  
23 /s/Blake P. Loeks  
24 By: Blake P. Loeks  
25 Attorneys for Defendants,  
26 CITY OF MODESTO, a public entity; CITY OF  
27 MODESTO POLICE CHIEF GALEN L.  
28 CARROLL, in his individual capacity; CITY OF  
MODESTO POLICE OFFICERS ALEX BETTIS,  
JOSEPH LAMANTIA, TYLER CALDWELL,  
DARIEN WILSON

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33 STIPULATION TO CONTINUE 2/15/18 SCHEDULING CONFERENCE  
34 *Schmidt v. City of Modesto, et al.*

35 USDC (E.D. Cal.) Case No.: 1:17-cv-01411-DAD-MJS

## **ORDER**

Pursuant to the parties' Stipulation and good cause appearing therefore, IT IS ORDERED that the Mandatory Scheduling Conference now set before the Michael J. Seng on February 15, 2018 at 10:30 a.m. in Courtroom 6, 6<sup>th</sup> Floor, United States Courthouse, 2500 Tulare Street, Fresno, CA, 93721, is continued to March 1, 2018 at 10:30 a.m. in Courtroom 6, 6<sup>th</sup> Floor, United States Courthouse, 2500 Tulare Street, Fresno, CA, 93721.

IT IS SO ORDERED.

Dated: December 8, 2017

Isi Michael J. Seng

UNITED STATES MAGISTRATE JUDGE