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17 Attorneys for Defendant
18 AMERICAN PROPERTY MANAGEMENT, INC.

19 UNITED STATES DISTRICT COURT

20 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

21 JESSICA BARRIOS,
22
23 Plaintiff,

24 vs.

25 AMERICAN PROPERTYMANAGEMENT,
26 INC. and DOES 1 through 10 inclusive,
27 Defendants.

Case No. 1:18-cv-00352-AWI-SKO

**JOINT STIPULATION TO VACATE
DATES IN EXISTING SCHEDULING
ORDER AND RE-ISSUE UPDATED
SCHEDULING ORDER AFTER
COMPLETION OF RESOLUTION
EFFORTS; ORDER**

Complaint Filed: February 9, 2018
Removal Filed: March 12, 2018

1 WHEREAS, this Stipulation is made and entered into by Defendant AMERICAN PROPERTY
2 MANAGEMENT, INC. (“Defendant”) and Plaintiff JESSICA BARRIOS (“Plaintiff”) (collectively the
3 “Parties”);

4 WHEREAS, the Court filed its Scheduling Order (ECF No. 13) (“Scheduling Order”) on July 5,
5 2018;

6 WHEREAS, the Parties have met and conferred regarding the merits of this matter and mutually
7 desire to explore early resolution of this action and avoid unnecessary expenditure of time and fees on
8 formal litigation;

9 WHEREAS, while the Parties have agreed to attend a private mediation with agreed-upon
10 mediator Lisa Klerman, the Parties are currently engaging in discussions pertaining to said mediation,
11 including discussing a demand to be sent to Defendant prior to mediation, and will need another ninety
12 (90) days to finalize the demand and confirm a mediation date with Ms. Klerman;

13 WHEREAS, the Parties have, in good faith, have informally exchanged information and
14 documents in anticipation of mediation and will continue to exchange further information and
15 documents as necessary prior to mediation;

16 THEREFORE, good cause exists for this stipulation and order to vacate the dates in the
17 Scheduling Order and to re-issue an updated Scheduling Order if resolution efforts towards and/or at
18 mediation are unsuccessful, so that the Parties may explore potential settlement prior to incurring further
19 litigation fees and costs;

20 WHEREFORE, the Parties hereby jointly stipulate and request an order as follows:

21 The dates and deadlines enumerated in the existing Scheduling Order are vacated, and the Parties
22 shall report to the Court after ninety (90) days regarding the status of the Parties’ resolution discussions
23 and whether the Parties have set a mediation date. If the Parties have not yet set a mediation date by this
24 time, the Court will reissue an updated Scheduling Order.

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1 IT IS SO STIPULATED.

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Dated: October 8, 2018

LAW OFFICE OF THOMAS P. HOGAN

By: /s/ Shawnté Priest (as authorized on 10.8.18)
Thomas P. Hogan
Shawnte Priest
Attorneys for Plaintiff

Dated: October 8, 21018

SHIMODA LAW CORP.

By: /s/ Erika R. C. Sembrano
Galen T. Shimoda
Erika R. C. Sembrano
Attorneys for Plaintiff

Dated: October 8, 2018

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Derek S. Sachs (as authorized on 10.8.18)
Derek S. Sachs
Ashley N. Arnett
Attorneys for Defendant

1 **ORDER**

2 FOR GOOD CAUSE SHOWN AND IN ORDER TO PROMOTE SETTLEMENT EFFORTS,
3 IT IS HEREBY ORDERED AS FOLLOWS:

4 The terms of the above Stipulation are hereby approved and adopted. The dates and deadlines
5 enumerated in the existing Scheduling Order are vacated pending the Parties' participation in resolution
6 efforts. The Parties are ordered to report to the Court the result of these resolution efforts and the
7 confirmation of a mediation date, if any, no later SEVEN (7) DAYS following the setting of a mediation
8 date AND no later than SEVEN (7) days following the mediation.

9 If, after further negotiations, the parties decide not to pursue mediation, the parties shall file with
10 the Magistrate Judge a request for a new scheduling order, within SEVEN (7) DAYS of the decision not
11 to mediate.

12 IT IS SO ORDERED.

13 Dated: October 9, 2018

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16 SENIOR DISTRICT JUDGE