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 9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA
 11 SACRAMENTO DIVISION

12
 13 **LORENZO CARL PAYNES,**
 14 Plaintiff,
 15 v.
 16 **D. L. RUNNELS, et al.,**
 17 Defendants.

2:04-cv-1868 MCE KJM P
**JOINT REQUEST TO STAY CASE
 PENDING SETTLEMENT; ORDER**

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 20 On August 13, 2009, the parties engaged in good faith settlement discussions in the above
 21 matter, and stipulate to the following:

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1 1. The parties jointly request that this matter be stayed for one hundred twenty days,
2 from the date of the Court's order, so that the parties may conduct good faith settlement
3 negotiations in an effort to resolve this matter.

4 2. In the unlikely event the parties are unable to resolve this matter, the parties seek to
5 preserve their litigation rights, and will notify this Court by the end of the stay, so that a modified
6 scheduling order may be issued and litigation can proceed.

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8 IT IS SO STIPULATED.

9 Date: August 26, 2009

By: /s/ Lorenzo Paynes
 Lorenzo Paynes
 Plaintiff in Pro Per

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12 Date: August 26, 2009

By: /s/ Rebecca M. Armstrong-Grau
 Rebecca M. Armstrong
 Attorney for Defendant Runnels

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15 Dated: August 27, 2009

Respectfully submitted,

EDMUND G. BROWN JR.
Attorney General of California
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***/s/ Rebecca M.
Armstrong-Grau***

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Kenneth Tuffin*

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ORDER

The Court, having considered the parties' stipulation for a request to stay the case pending good faith settlement negotiations, orders that this case is stayed for a period of one hundred and twenty days from the date of this Court's order. The parties shall notify the court no later than January 6, 2010, whether the case has settled.

Dated: September 9, 2009.


U.S. MAGISTRATE JUDGE

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