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*Additional Counsel on Signature Page*

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION**

GREGORY JOHNSON, et al.,  
  
Plaintiffs,  
  
v.  
  
CLAIR R. COUTURIER, JR., et al.,  
  
Defendants,  
  
DARLEEN STANTON,  
  
Plaintiff,  
  
v.  
  
CLAIR R. COUTURIER, JR., et al.  
  
Defendants.

No. 2:05-cv-02046 RRB GGH  
(Lead Case-Consolidated)

**STIPULATION  
AND ORDER**

No. 2:07-CV-01208 WBS-JFM  
  
(Consolidated under  
2:05-CV-02046 RRB GGH)

1           Plaintiffs Gregory Johnson, Edward Rangel, William Rodwell, Kelly Morrell, and  
2 Darleen M. Stanton (collectively “Plaintiffs”) and Defendants Clair R. Couturier, Jr.  
3 (“Couturier”) and David Johanson (“Johanson”), by and through their undersigned counsel,  
4 stipulate as follows.

5           1.       Plaintiffs have filed a Motion to Compel Discovery from Defendants  
6 Couturier and Johanson on October 22, 2009 (Dkt. 701). Said Motion has been scheduled  
7 for oral argument on November 12, 2009, and the parties Joint Statement is due November  
8 5, 2009 (Dkt. 706).

9           2.       A settlement conference before Magistrate Mueller has been scheduled in this  
10 case for November 3 and 4, and the parties are taking the deposition of a fact witness in  
11 Chicago on Friday, October 30. In addition, the completion of the deposition of Defendant  
12 Johanson has been scheduled for November 4, at the courthouse.

13           3.       Plaintiffs and Defendant Johanson have held a meet and confer and have  
14 resolved the discovery dispute with Johanson. Counsel for Plaintiffs and Defendant  
15 Couturier have also met and conferred and have had constructive discussion concerning the  
16 remaining discovery dispute with Couturier. At this point, the dispute remains unresolved.  
17

18           4.       Fact discovery is due for completion in this case by November 22, 2009.

19           IT IS THEREBY AGREED:

20           1.       The parties are in agreement that Plaintiffs’ Motion and the Joint Statement  
21 should be decided by the Magistrate Judge upon the written submission on or after  
22 November 12, 2009, and the parties hereby agree to waive any right to an oral hearing upon  
23 the Motion.  
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2. In light of the current schedule in this case as outlined above, the parties request a one week extension from November 5 to November 12, 2009, for submission of the Joint Statement.

DATED: October 29, 2009.

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**ORDER**

Upon stipulation of the parties and for good cause shown,

IT IS HEREBY ORDERED that the current hearing date on Plaintiffs' Motion to Compel Discovery is vacated.

IT IS FURTHER ORDERED that the parties Joint Statement will be due on or before November 12, 2009.

DATED: November 12, 2009

/s/ Gregory G. Hollows

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Honorable Gregory G. Hollows  
U.S. Magistrate Judge

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