1	EDMUND G. BROWN JR., State Bar No. 37100		
2	Attorney General of California VICKIE P. WHITNEY, State Bar No. 145316		
3	Supervising Deputy Attorney General TRACY S. HENDRICKSON, State Bar No. 155081		
4	Supervising Deputy Attorney General 1300 I Street, Suite 125		
5	P.O. Box 944255 Sacramento, CA 94244-2550		
6	Telephone: (916) 323-7363 Fax: (916) 324-5205		
7	E-mail: Tracy.Hendrickson@doj.ca.gov Attorneys for Defendants James and Roche		
8			
9	IN THE UNITED STATES DISTRICT COURT		
10	FOR THE EASTERN DISTRICT OF CALIFORNIA		
11	SACRAMEN	TO DIVISION	
12			
13	LARRY GIRALDES,	2:06-CV-2277 MCE CMK	
14	Plaintiff,	STIPULATION TO STAY ACTION FOR	
15	v.	120 DAYS PENDING SETTLEMENT NEGOTIATIONS	
16	DOCHE et al	AND ORDER	
17	ROCHE, et al.,		
18	Defendants.		
19			
20	Plaintiff pro per, Larry Giraldes, Jr., and Defendants James and Roche, through their		
21	attorney of record Tracy S. Hendrickson, stipulate to stay this action for 120 days, to and		
22	including September 14, 2010, pending settlement negotiations. The parties will attempt a global		
23	settlement of this case and two other related cases filed by Plaintiff (<i>Giraldes v. Prebula</i> , CIV-S-		
24	01-2110 LKK PAN P and <i>Giraldes v. Hicimbothom</i> , 1:09-CV-0154 DLB). Although defense counsel does not yet have settlement authority, efforts are being undertaken to promptly secure		
25	•		
26	that authority and, assuming authority is provided, to schedule possible mediation of this matter.		
27	Defense counsel and Plaintiff have conferred by telephone on several occasions to discuss		
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		Color Latin Annual Control Con	
		Stipulation to Stay Action (2:06-CV-2277 MCE CMK P)	

1 settlement issues and to contemplate scheduling mediation when/if settlement authority is 2 granted. 3 In the interim, the parties request that the Court vacate the deadline for Plaintiff to oppose 4 Defendants' motion for summary judgment, stay the Court's decision on Defendants' motion for 5 leave to file an amended answer, and refrain from setting a trial date until the parties have had an 6 opportunity to conduct settlement negotiations. The parties anticipate that settlement authority, if 7 provided, would dispose of the entire case and two of Plaintiff's other related cases. 8 In the event settlement negotiations are unsuccessful, counsel for Defendant will promptly 9 notify the Court. The parties request that upon such notification, the Court allow Plaintiff twenty-10 one days to oppose the supplemental summary judgment motion, and that the Court render a 11 decision on Defendants' motion for leave to amend the answer. 12 IT IS SO STIPULATED. 13 14 /s/ Tracy S. Hendrickson DATED: May 13, 2010. TRACY S. HENDRICKSON 15 Office of the Attorney General Attorneys for Defendants Roche and James 16 17 18 19 DATED: May 19, 2010. /s/ Larry Giraldes, Jr. LARRY GIRALDES, JR. 20 Plaintiff Pro Per 21 22 ORDER 23 The Court, having considered the Parties' Stipulation, and good cause appearing, orders 24 that this case shall be stayed for 120 days, to an including September 14, 2010, to permit the 25 parties to negotiate settlement. Accordingly, the Court will not now rule on Defendants' Motion 26 for Leave to Amend the Answer, and Plaintiff shall not be required, at this time, to oppose 27 Defendants' Supplemental Motion for Summary Judgment. In the event the parties are unable to 28 2

1	reach a settlement, defense counsel shall promptly notify the Court and the Court shall issue an	
2	order that Plaintiff shall have twenty-one days from the date of the order to file and serve a	
3	written opposition to Defendants' Supplemental Motion for Summary Judgment. The Court will	
4	also rule on Defendants' Motion for Leave to Amend the Answer.	
5	IT IS SO ORDERED:	
6		
7	Lraig M. Kellison	
8	DATED: May 24, 2010 CRAIG M. KELLISON	
9	UNITED STATES MAGISTRATE JUDGE	
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Stipulation to Stay Action (2:06-CV-2277 MCE CMK P)

DECLARATION OF SERVICE BY U.S. MAIL	
Case Name: Giraldes v. Roche, et al.	
No.: 2:06-CV-2277 MCE CMK P	
I declare:	
I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or	
older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States	
	Postal Service that same day in the ordinary course of business.
On May 19, 2010 , I served the attached STIPULATION TO STAY ACTION FOR 120 DAYS PENDING SETTLEMENT NEGOTIATIONS by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 1300 I Street, Suite 125, P.O. Box 944255, Sacramento, CA 94244-2550, addressed as follows:	
Larry Giraldes, Jr D-72056 Salinas Valley State Prison P.O. Box 1050 Soledad, CA 93960-1050	
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on May 19, 2010 , at Sacramento, California.	
Declarant Signature	
4	