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6 Attorneys for Defendant LASSEN COMMUNITY COLLEGE
7 DISTRICT

8

9 **IN THE UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**

11

12 YVONNE DEERING,) **CASE NO. 207:CV-01521-JAM-DAD**
13 Plaintiffs,)
14 v.)
15 LASSEN COMMUNITY COLLEGE)
DISTRICT, CHRIS ALBERICO, MARY)
16 ELIZABETH ALBERICO, BERRY)
MURPHY and HOMER CISSELL,)
17 Defendants.) **STIPULATION TO MODIFY**
18) **PRETRIAL SCHEDULING ORDER**
19) **AND ORDER THEREON**
20)
21) **[Fee Exempt Pursuant to Government Code**
22) **§6103**
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20 **IT IS HEREBY STIPULATED** by and between the parties, through their respective
21 counsel, that the trial of this matter be continued from November 8, 2010, to April 18, 2011.

22 Good cause exists for this continuance because the parties have agreed to attend
23 mediation of this matter on August 12 and 13, 2010. If a settlement is reached in this matter on
24 those dates, the settlement cannot be approved and finalized until January 11, 2011 during the
25 next meeting of the Statewide Association of Community Colleges (“SWACC”) Executive
26 Committee. SWACC is the Joint Powers Authority of which the Lassen Community College
27 District is a member and it has the ultimate authority to settle any case in which Defendant
28 District is a party to. As such, if the trial is not continued the parties will be forced to prepare

1 for trial and possibly attend trial on a matter that will most likely be settled.

2 Based on the foregoing, the parties request that the jury trial be continued to April 18,
3 2011 at 9:00 a.m. or as soon thereafter as may be permitted by the Court's calendar. The parties
4 further request that the pretrial scheduling order be revised in accordance with the new jury trial
5 date. These revisions to the scheduling order will permit sufficient time for the parties to
6 negotiate and approve any settlement of this matter.

7 The parties request that the following schedule become the new scheduling order: Joint
8 Pretrial Statement due February 25, 2011; Final Pretrial Conference scheduled for March 4,
9 2011 at 3:00 p.m.; and Jury trial date April 18, 2011, at 9:00 a.m.

10 Dated: July 15, 2010

JOHNSON SCHACHTER & LEWIS
A Professional Law Corporation

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ORDER

IT IS SO ORDERED and the pretrial scheduling order is modified as follows:

1. Joint Pretrial Statement shall be due February 25, 2011;
2. Final Pretrial Conference is set for March 4, 2011, at 3:00 p.m.; and
3. Jury trial in this matter is set for April 18, 2011, at 9:00 a.m.

Dated: July 19, 2010

/s/ John A. Mendez

HON. JOHN A. MENDEZ

UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

CASE NAME: **Deering v. Lassen CCD, et al.**
CASE NO.: **2:07-CV-01521-JAM-DAD**

I am employed in the County of Sacramento. I am over the age of eighteen years and not a party to the within above-entitled action. My business address is 2180 Harvard Street, Suite 560, Sacramento, CA 95815.

I am familiar with this office's practice whereby the mail is sealed, given the appropriate postage and placed in a designated mail collection area. Each day's mail is collected and deposited in a United States mailbox after the close of each day's business.

On the date set forth below, I served the following: **STIPULATION TO MODIFY PRETRIAL SCHEDULING ORDER AND [PROPOSED] ORDER THEREON**

United States Mail - on all parties in said action by placing a true copy of the above described document(s) enclosed in a sealed envelope in the designated area for outgoing mail addressed as set forth below.

By FACSIMILE (telecopier) - by personally sending to the addressee's facsimile number a true copy of the above-described document(s).

Electronic Service - by causing such document to be served electronically to the addresses listed below.

Federal Express - on all parties in said action by placing a true copy of the above-described document(s) in an authorized area for pick-up by an authorized express service courier the same day it is collected and processed in the ordinary course of business as set forth below.

Personal Service - By personally delivering or causing to be delivered a true copy of the above-described document to the person(s) and at the address(es) set forth as shown below.

TREVA J. HEARNE HAGER & HEARNE 245 E. Liberty St., Ste. 110 Reno, NV 89501 Telephone: (775) 329-5800 Facsimile: (775) 329-5819	AARON WAYNE MOORE, ESQ. MAIRE & BURGESS 2851 Park marina Dr., Suite 300 Redding, CA 96073 Telephone: (530) 246-6050 Facsimile: (530) 246-6060
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FEDERAL: I declare that I am employed in the office of a member of the bar of this Court at whose direction service was made.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on July 16, 2010, at Sacramento, California.

/s/ Susan M. Aldridge
Susan M. Aldridge