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UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT

MIGUEL NIEVES)	Case No. 2:08-CV-01964-WBS-GGH
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER TO CONTINUE TRIAL DATE
v.)	
)	
ALLIED WASTE SERVICES, INC.)	
)	
Defendant.)	

STIPULATION

Plaintiff Miguel Nieves and Defendant BFI Waste Systems of North America, LLC (erroneously sued herein as Allied Waste Services, Inc.) have agreed to request the court to continue the currently scheduled trial date of June 29, 2010, and final pretrial conference of May 3, 2010, and reset the case for trial to November 9, 2010, and final pretrial conference to September 20, 2010, if those dates are readily available.

The parties have been engaged in settlement discussions for several months and have been collaborative in progressing towards a mutually agreeable resolution. The parties have only minor issues remaining to resolve. At this juncture, neither party anticipates the necessity of trial unless unforeseen circumstances arise.

1 For the reasons stated above, both parties request that the current final pretrial conference
2 of May 3, 2010, be vacated and continued to September 20, 2010. Both parties also request the
3 trial date of June 29, 2010, be vacated and the new date to commence trial be November 9, 2010.

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5 DATED: April 28, 2010

LAW OFFICES OF BOWMAN & ASSOCIATES

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7 By /s/ _____
8 Christopher C. Phillips
9 Attorneys for Plaintiff
MIGUEL A. NIEVES

10
11 DATED: April 28, 2010


SEYFARTH SHAW LLP

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13
14 By /s/ _____
15 Jason T. Cooksey
16 Attorneys for Defendant
BFI WASTE SYSTEMS OF NORTH
17 AMERICA, LLC

18 **ORDER**

19 The court having conferred telephonically with counsel, by agreement of the parties and
20 the court, the trial date shall remain as scheduled for June 29, 2010, and the previously scheduled
21 Final Pretrial Conference for May 3, 2010 is continued to June 1, 2010 at 2:00 p.m.

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23 DATED: April 28, 2010

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26 WILLIAM B. SHUBB
27 UNITED STATES DISTRICT JUDGE