

1 DENNIS HALSEY, ESQ. SBN 66091  
Law Offices of Dennis Halsey  
2 9 Highland Circle  
Chico, CA 95926  
3 (530) 345-1976

4 Attorney for defendants  
Jack Martin, Mark Hendry,  
5 Ben Kraemer, Leigh McDaniel,  
and Vangie Porras  
6

7  
8

**United States District Court  
Eastern District of California, Sacramento**

10

11 FRANCISCO FLORES,  
12 Plaintiff,

Case No. 2:08-cv-02499-GEB-JFM

13 vs.

**STIPULATION AND  
ORDER MODIFYING STATUS  
(PRETRIAL SCHEDULING) ORDER**

14

Trial Date: August 23, 2011  
Discovery Cut Off: February 18, 2010

15

16

17

18 CHRIS VON KLEIST, ET AL.,  
19 Defendants.

20

21 The parties to this lawsuit, having received and considered the Court's Order Granting and  
22 Denying in Part Defendants' Motions for Summary Judgment, believe it is in their best interest to  
23 settle this case. In that regard counsel are discussing the terms and conditions of a proposed  
24 settlement. That process is on going, and may take several days or more to conclude. Once a  
25 proposed settlement agreement is reached, counsel must present the proposal to Plaintiff, and to  
26 the Board of Directors of Golden State Risk Management Authority, to Superintendent Chris Von  
27 Kleist, and to the past Board and current Board of Trustees of the Orland Unified School District.

28

1 Convening meetings of those Boards takes time.

2 Presently there are pending the deposition of plaintiff, depositions of treating psychologist  
3 and physician, and plaintiff's economist; and probably additional fact witnesses and expert  
4 witnesses. Defendants have four discovery motions set for October 7. Defendants anticipate filing  
5 additional discovery motions, and a motion to appointment a Special Master to act as Discovery  
6 Referee, and to extend discovery cut off. Discovery cut off is currently set for October 20.

7 In order to negotiate and to approve a settlement in this case, the current date for discovery  
8 cut off, the final date for other motions, and probably the Final Pre Trial conference are too near.  
9 The attorneys believe, and request, that the Status (PreTrial Scheduling) Order should be vacated  
10 and new dates set if the case does not settle.

11 Therefore, it is hereby stipulated between the parties, by and through their respective  
12 attorneys, that the current Status (PreTrial Scheduling) Order be vacated, and a new order be made  
13 if the parties are not able to reach agreement in the next ninety days.

14  
15 Date: September 14, 2010

/s/ Dennis Halsey \_\_\_\_\_  
Dennis Halsey, Esq.  
Attorney for defendants Jack Martin, Mark Hendry,  
Ben Kraemer, Leigh McDaniel, and Vangie Porras

16  
17  
18 Date: September 14, 2010

/s/ Leonard G. Krup, Esq. \_\_\_\_\_  
Leonard G. Krup, Esq.  
Attorney for defendant Chris Von Kleist

19  
20 Date; September 14, 2010

/s/ James E. McGlamery, Esq. \_\_\_\_\_  
Attorney for plaintiff Francisco J. Flores

21  
22 ORDER

23 Based on the parties' representations that they desire to determine whether they can settled  
24 this case, the Status (Pretrial Scheduling) Order is modified as follows: the discovery completion  
25 date is February 18, 2011; the last law and motion hearing date is April 18, 2011, commencing at  
26 9:00 a.m. ; the final pretrial conference will commence at 1:30 p.m. on June 13, 2011; and trial  
27  
28

1 shall commence at 9:00 a.m. on August 23, 2012.

2

3 Dated: September 16, 2010

4

5

  
GARLAND E. BURRELL, JR.  
United States District Judge

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28