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11 Attorneys for Defendants
12 The CITY OF LODI and the
13 LODI UNIFIED SCHOOL DISTRICT, CATHY NICHOLS-WASHER,
14 ART HAND and ERIK SANDSTROM

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22 Attorney for Plaintiff
23 JEREMY HIXSON

24 UNITED STATES DISTRICT COURT
25 EASTERN DISTRICT OF CALIFORNIA

26 JEREMY HIXON,

27 Plaintiff,

28 vs.

CITY OF LODI; LODI UNIFIED SCHOOL
DISTRICT; AND DOES 1 through 20,

Defendants.

Case No.: 2:10-CV-01128-MCE-GGH

**STIPULATION AND ORDER
REFERRING MATTER TO A
MAGISTRATE JUDGE FOR
SETTLEMENT CONFERENCE**

1 The parties to the above captioned matter hereby stipulate by and through their
2 undersigned counsel of record to request that this court issue an order referring this
3 matter to a Magistrate Judge for Settlement Conference.
4

5 WHEREAS, on February 21, 2011 the parties filed a Joint Status Report. The
6 parties requested that the court order the matter be referred to a Magistrate Judge for
7 the purposes of conducting a settlement conference.

8 WHEREAS, on March 1, 2011 the court ordered this matter to the Voluntary
9 Dispute Resolution Program but not to a Magistrate Judge for settlement conference.
10

11 WHEREAS, good cause exists to grant the parties' request that this matter be
12 referred to a Magistrate Judge for the purposes of a Settlement Conference. Counsel
13 for the parties have met and conferred regarding this issue on a number of occasions.
14 Counsel strongly believe that it is much more likely that this case will resolve through a
15 judicially supervised settlement conference then through the process of mediation
16 before a private attorney. In addition, the parties also believe that the Magistrate
17 Judge's authority as a judicial officer will be more demonstratively more persuasive with
18 the plaintiff and the public entity defendants.
19

20 Therefore, counsel for the parties respectfully request that the Court reconsider
21 its original order and refer this matter to a Magistrate Judge for settlement conference.
22

23 The parties respectfully request that this matter be referred to Magistrate Judge
24 Drozd.

25 IT IS SO STIPULATED.

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28

1 Dated: May 6, 2011

STUBBS & LEONE

2
3 /s/

4 LOUIS A. LEONE, ESQ.
5 CLAUDIA LEED, ESQ.
6 Attorneys for Defendants THE CITY OF LODI,
7 LODI UNIFIED SCHOOL DISTRICT,
8 CATHY NICHOLS-WASHER,
9 ART HAND and ERIK SANDSTROM

10 Dated: May 6, 2011

MARSHALL & MARSHALL

11
12 /s/

13 RUSSELL HUMPREHY, ESQ.
14 Attorney for Plaintiff Jeremy Hixson

15 ORDER

16
17 IT IS SO ORDERED. The parties are directed to contact Magistrate Judge Drozd for
18 available settlement conference dates. The reference to VDRP is withdrawn.

19 Dated: May 13, 2011

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22 MORRISON C. ENGLAND, JR.
23 UNITED STATES DISTRICT JUDGE
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