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Attorneys for Defendants Abraham Niazi,  
 R.N.; Dr. Richard Parnell Galloway; California  
 Department of Corrections and Rehabilitation –  
 General

11 Attorneys for Plaintiff  
 Lamont Crossley

13 UNITED STATES DISTRICT COURT  
 14 EASTERN DISTRICT OF CALIFORNIA

16 LAMONT CROSSLEY,  
 17 Plaintiff,  
 18 v.  
 19 ABE NIAZI, et al.,  
 20 Defendants.

Case No. 2:12-cv-02180-TLN-CKD

**SECOND STIPULATION AND ORDER  
 TO EXTEND DEADLINE TO FILE  
 DISPOSITIONAL DOCUMENTS**

Settlement Conference: August 8, 2017  
 Status Conference: September 28, 2017  
 Dispositional Deadline: October 6, 2017

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1 Plaintiff Lamont Crossley (“Plaintiff”) and Defendants Abraham Niazi, R.N. and Dr.  
2 Richard P. Galloway (“Defendants”) (collectively, the “Parties”) hereby stipulate and respectfully  
3 request that the Court extend the deadline for the Parties to file dispositional documents based on  
4 the following facts and circumstances:

5 WHEREAS, on April 10, 2017, the Court issued an order setting a settlement conference  
6 before Judge Newman on August 8, 2017 (ECF No. 100);

7 WHEREAS, on August 8, 2017, the Parties reached a settlement, the terms and conditions  
8 of which were stated on the record by the Court (*see* ECF Nos. 106, 110);

9 WHEREAS, on August 8, 2017, the Court ordered that dispositional documents be filed  
10 within 30 days (ECF No. 106);

11 WHEREAS, on September 8, 2017, at the Parties’ request, the Court extended the  
12 deadline to file dispositional documents to October 6, 2017, and set an Informal Telephonic  
13 Status Conference Re: Settlement for September 28, 2017 (ECF No. 109; *see* ECF No. 108);

14 WHEREAS, on September 28, 2017, the Parties participated in an Informal Telephonic  
15 Status Conference Re: Settlement Conference (*see* ECF No. 111);

16 WHEREAS, on September 28, 2017, following the Informal Telephonic Status  
17 Conference Re: Settlement Conference, counsel for Plaintiff sent counsel for Defendants a  
18 revised proposed written settlement agreement;

19 WHEREAS, on September 28, 2017, following the Informal Telephonic Status  
20 Conference Re: Settlement Conference, counsel for Defendants sent counsel for Plaintiff a draft  
21 joint stipulation of substitution to add the California Department of Corrections and  
22 Rehabilitation (“CDCR”) as a defendant in place of Defendants;

23 WHEREAS, on October 2, 2017, counsel for Plaintiff sent counsel for Defendants a  
24 revised draft joint stipulation of substitution to add the CDCR as a defendant in place of  
25 Defendants;

26 WHEREAS, counsel for Defendants is waiting for client approval with respect to the  
27 September 28, 2017 revised proposed written settlement agreement and the October 2, 2017  
28 revised draft joint stipulation of substitution;

1           WHEREAS, counsel for Plaintiff must have adequate time to correspond with Plaintiff  
2 regarding settlement and disposition of this matter following the September 28, 2017 Informal  
3 Telephonic Status Conference Re: Settlement Conference and subsequent exchanges of  
4 documents with counsel for Defendants, and Plaintiff must have an opportunity to review and  
5 execute the final, agreed upon settlement agreement;

6           WHEREAS, the Parties and CDCR intend to remain bound by the agreement reached on  
7 August 8, 2017 and desire to memorialize that agreement in writing as soon as possible;

8           WHEREAS, the Parties and CDCR intend to file the joint stipulation of substitution  
9 adding CDCR as a party in place of Defendants prior to executing the written settlement  
10 agreement between Plaintiff and CDCR and filing a joint stipulation of dismissal;

11           WHEREAS, the Parties believe that an extension of fourteen (14) days to Friday,  
12 October 20, 2017, to file dispositional documents is reasonable in light of the Parties' exchanges  
13 of documents following the September 28, 2017 Informal Telephonic Status Conference Re:  
14 Settlement Conference.

15           IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Defendants,  
16 by and through their respective undersigned counsel, that the deadline for filing of dispositional  
17 documents shall be extended fourteen (14) days to Friday, October 20, 2017.

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Dated: October 5, 2017

JAMES E. HOUP  
STEPHANIE ALBRECHT  
RACHEL J. MUOIO  
MICHAEL C. WOOD  
Orrick, Herrington & Sutcliffe LLP

By:           /s/ Michael C. Wood            
MICHAEL C. WOOD  
Attorneys for Plaintiff  
Lamont Crossley

Dated: October 5, 2017


JAMES W. WALTER  
Office of the Attorney General

By:           /s/ James W. Walter (authorized 10-5-17)            
JAMES W. WALTER  
Attorneys for Defendants  
Abraham Niazi, R.N.;  
Dr. Richard Parnell Galloway; California  
Department of Corrections and  
Rehabilitation – General

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**IT IS SO ORDERED.** Good cause appearing, and pursuant to the joint stipulation of the Parties, the deadline to file dispositional documents is extended fourteen days to Friday, October 20, 2017.

Dated: October 5, 2017

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE