4818-6379-2447.1

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STIPULATION AND [PROPOSED] ORDER RE FILING OF FINAL DISPOSITIONAL DOCUMENTS

3.	Plaintiff	and	his	counsel	have	signed	the	settlement	agreement	and	circulated
signatures to s	same.										

- 4. Defendant's counsel sent the settlement draft to Plaintiff's counsel on December 29, 2016, fully funding the settlement.
- 5. Defense counsel, who has approved the settlement agreement as to form and content, sent the settlement agreement to Defendant for his signature.
- 6. Defendant's estranged wife, Claudia Schlachter, has advised defense counsel that Defendant has been hospitalized in Modesto since November 29, 2016. At times he has been in a coma and receiving life support. He has been diagnosed with dementia and is now blind.
- 7. Although Ms. Schlachter attempted to obtain Defendant's signature once he was conscious and out of the ICU, she has not yet been able to do so. Factors on this issue include her primary residence in Santa Cruz, Defendant's dementia and blindness, and Defendant's lack of clarity. She was concerned he would not even be able to mark an "x" for his name.
- 8. Ms. Schlachter advised on December 29, 2016 that their daughter has been given power of attorney for Defendant, and as such, will be able to sign the settlement agreement on his behalf. Defense counsel anticipates receipt of this signature to the agreement within the next week.
- 9. The only impediment to filing the dispositional documents are the defense signatures to the settlement agreement.
- 10. The parties request additional time to file the dispositional documents to obtain the signature of Defendant's power of attorney.

STIPULATION

1. That the parties be given until January 13, 2017 to file the final dispositional documents to allow time to obtain the signature of Defendant's power of attorney.

IT IS SO STIPULATED

DATED: December 29, 2016 SHOOK, HARDY & BACON LLP /s/ Edward B. Gaus By: Matthew Vanis, Esq. Edward B. Gaus, Esq. Attorney for Plaintiff Jimmy St. Clair LEWIS BRISBOIS BISGAARD & SMITH LLP DATED: December 29, 2016 /s/ Nicole L. Jones Christopher J. Nevis Nicole L. Jones Attorney for Defendant Stan Schlachter 4818-6379-2447.1

STIPULATION AND [PROPOSED] ORDER RE FILING OF FINAL DISPOSITIONAL DOCUMENTS

[PROPOSED] ORDER

THIS MATTER having been brought duly and regularly before the undersigned Judge of the above-entitled Court, the Court being fully advised in all matters, does herewith, pursuant to the foregoing stipulation,

ORDER

1. That the parties be given until January 13, 2017 to file the final dispositional documents to allow time to obtain the signature of Defendant's power of attorney.

DATED: January 4, 2017

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The Allison Claire
UNITED STATES MAGISTRATE JUDGE

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