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 16 THE SHERWIN-WILLIAMS COMPANY

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 18 **UNITED STATES DISTRICT COURT**
 19 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
 20

21 NATHAN LENARD,
 22 Plaintiff,
 23 vs.
 24 THE SHERWIN-WILLIAMS COMPANY, and
 DOES 1-100,
 25 Defendant.
 26

Case No. 2:13-CV-02548-KJM-AC

**STIPULATION TO DELAY RULING ON
 DEFENDANT’S MOTION FOR
 SUMMARY JUDGMENT PENDING
 CONCLUSION OF MEDIATION; ORDER**

Action Filed: May 15, 2013
 Trial Date: November 28, 2016

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1 Plaintiff Nathan Lenard (“Plaintiff”) and Defendant The Sherwin-Williams Company
2 (“Defendant”) submit the following stipulation to delay the Court’s ruling on Defendant’s Motion
3 for Summary Judgment.

4 On February 12, 2016, Defendant filed its Motion for Summary Judgment (“MSJ”) (Dkt.
5 No. 39.) On February 26, 2016, Plaintiff filed his Opposition to the MSJ. (Dkt. No. 40.) On March
6 4, 2016, Defendant filed its Reply in support of its MSJ. (Dkt. No. 41.)

7 On March 11, 2016, the Court heard oral argument on Defendant’s MSJ. Subsequently, the
8 parties began discussing a potential pretrial resolution of this matter. The parties have scheduled a
9 mediation for May 18, 2016. The parties will promptly notify the court following the mediation on
10 May 18, 2016 as to whether the parties have reached a tentative or formal agreement to resolve the
11 matter.

12 In light of the parties’ scheduled mediation date, the parties respectfully request that the
13 Court stay any decision on Sherwin Williams’ pending motion for summary judgment until after
14 June 1, 2016.

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16 DATED: April 28, 2016

LAW OFFICE OF ERIK M. ROPER

17
18 By: /s/ Erik M. Roper
19 Erik M. Roper

20 Attorney for Plaintiff
NATHAN LENARD

21
22 DATED: April 28, 2016

OGLETREE, DEAKINS, NASH, SMOAK & STEWART,
P.C.

23
24 By: /s/ Kevin D. Reese (as authorized on 4/28/2016)
25 Kevin D. Reese
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26 Attorneys for Defendant
27 THE SHERWIN-WILLIAMS COMPANY
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ORDER

Good cause appearing, the court GRANTS the parties' stipulation to delay ruling on defendant's motion for summary judgment until after June 1, 2016 to provide the parties adequate time to conclude a mediation of this matter (ECF No. 47). In the event the parties require additional time to resolve their settlement negotiations, they shall file a further stipulation with the court no later than seven (7) calendar days after the conclusion of their scheduled mediation explaining why good cause exists to further delay the court's ruling on defendant's motion for summary judgment.

IT IS SO ORDERED.

DATED: May 2, 2016


UNITED STATES DISTRICT JUDGE