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Attorneys for Plaintiff

10 **UNITED STATES DISTRICT COURT**
 11 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

12 ROBERT OLVERA SR., an individual,
 13
 14 Plaintiff,

vs.

15 CITY OF MANTECA, a municipal corporation;
 16 BEN CROMWELL, individually and in his
 17 capacity as an officer for the MANTECA Police
 18 Department; and DOES 1-25, inclusive,
 19 individually, jointly and severally,
 20 Defendants.

CASE NO.: 2:15-cv-00897-TLN-DAD

**STIPULATION AND ORDER STAYING
 EXPERT WITNESS DISCLOSURES
 AND DISCOVERY PENDING
 RESOLUTION OF SETTLEMENT
 NEGOTIATIONS; REFERRAL TO
 MAGISTRATE JUDGE CLAIRE FOR
 SETTLEMENT CONFERENCE.**

STIPULATION

WHEREAS, the parties have completed fact discovery in the instant action.

WHEREAS, the parties have initiated settlement discussions. In order to avoid the potentially settlement-prohibitive cost of conducting expert witness discovery, the parties hereby stipulate and respectfully request that the Court vacate all pending dates in the instant matter and refer this matter to Magistrate Judge Allison Claire for a settlement conference at Judge Claire’s earliest convenience. Should the matter not be resolved at settlement conference, the parties request the court set new

1 dates, including opening expert witness designations and reports due 30 days from the date the
2 settlement conference takes place, and closing expert witness discovery 6 weeks after it opens.

3 IT IS SO STIPULATED.
4

5 Respectfully submitted,
6

7 **THE LAW OFFICES OF JOHN L. BURRIS**

8 Dated: April 16, 2018

9 */s/ Benjamin Nisenbaum*

10 Benjamin Nisenbaum
11 Attorney for Plaintiff
12 ROBERT OLVERA

13 **ALLEN, GLAESSNER, HAZELWOOD &
14 WERTH, LLP**

15 Dated: April 16, 2018

16 */s/ Dale L. Allen, Jr.*

17 DALE L. ALLEN, JR.
18 KEVIN ALLEN
19 Attorney for Defendants
20 CITY OF MANTECA and BEN CROMWELL
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ORDER

GOOD CAUSE APPEARING, to facilitate the settlement of the instant action, the Court hereby grants the parties' stipulation to stay expert witness discovery and vacates all pending deadlines in the instant matter.

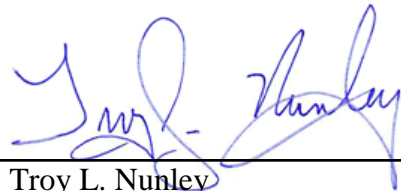
The Court hereby refers this matter to Magistrate Judge Allison Claire for a settlement conference at Judge Claire's earliest convenience. The parties are instructed Judge Claire's chambers to obtain a date for a settlement conference.

In the event the settlement conference does not resolve the instant action, expert discovery shall commence and expert reports shall be exchanged within 30 days from the date of the settlement conference. Expert discovery shall close 6 weeks after it opens.

The court shall set pre-trial and trial dates should the matter not be resolved at the settlement conference.

IT IS SO ORDERED.

Dated: April 19, 2018



Troy L. Nunley
United States District Judge