

1 RICHARD M. ROGERS, State Bar No. 045843
LAW OFFICE OF RICHARD M. ROGERS
2 100 Bush Street, #1980
San Francisco, CA 94104
3 Telephone: (415) 981-9788
Fax: (415) 981-9788
4 E-mail: RogersRMR@yahoo.com
Attorneys for Plaintiff
5 *Dev Patel*

6 XAVIER BECERRA, State Bar No. 118517
Attorney General of California
7 JUDITH A. RECCHIO, State Bar No. 163060
Supervising Deputy Attorney General
8 JERRY J. DESCHLER, State Bar No. 215691
Deputy Attorney General
9 1300 I Street, Suite 125
P.O. Box 944255
10 Sacramento, CA 94244-2550
Telephone: (916) 323-3830
11 Fax: (916) 324-5567
E-mail: Jerry.Deschler@doj.ca.gov
12 *Attorneys for Defendants*
California Department of Public Health and
13 *Department of Toxic Substances Control*

14
15 IN THE UNITED STATES DISTRICT COURT
16 FOR THE EASTERN DISTRICT OF CALIFORNIA
17 SACRAMENTO DIVISION
18

19 **DEV PATEL,**

20 Plaintiff,

21 v.

22
23 **STATE OF CALIFORNIA DEPARTMENT**
24 **OF PUBLIC HEALTH AND**
25 **DEPARTMENT OF TOXIC**
26 **SUBSTANCES,**

Defendant.

2:15-cv-02471-KJN

**STIPULATION AND REQUEST FOR
SETTLEMENT CONFERENCE;**

ORDER THEREON

Judge: Kendall J. Newman
Action Filed: 11/30/2015

27 Plaintiff Dev Patel ("Plaintiff") and Defendants California Department of Public Health
28 ("CDPH") and Department of Toxic Substances Control ("DTSC") (CDPH and DTSC are

1 collectively referred to as “Defendants”), through their respective counsel of record, hereby
2 stipulate as follows:

3 WHEREAS Plaintiff and Defendants stipulated for Magistrate Judge Kendall J. Newman to
4 be assigned for all purposes other than any settlement conference the parties might later schedule;

5 WHEREAS Defendants are filing a motion for summary judgment to be heard before
6 Magistrate Judge Newman no later than March 2, 2017; and

7 WHEREAS if the case is not dismissed, Plaintiff and Defendants wish to schedule a
8 settlement conference after receiving the ruling on Defendants’ motion for summary judgment, to
9 be presided over by a judge other than Magistrate Judge Newman.

10 Plaintiff and Defendants stipulate and agree as follows: Pursuant to Judge Newman’s
11 standing orders and Eastern District of California Local Rule 270, Plaintiff and Defendant request
12 that the Court schedule a settlement conference to be held after Plaintiff and Defendant receive
13 Magistrate Judge Newman’s ruling on Defendant’s motion for summary judgment, and that the
14 settlement conference be presided over by a judge other than Magistrate Judge Newman.

15 IT IS SO STIPULATED.

16 Dated: January 19, 2018

Respectfully submitted,

17 */s/ Richard M. Rogers*
18 LAW OFFICE OF RICHARD M. ROGERS
19 RICHARD M. ROGERS
Attorneys for Plaintiff Dev Patel

20 Dated: January 19, 2018

Respectfully submitted,

21 XAVIER BECERRA
22 Attorney General of California
23 JUDITH A. RECCHIO
Supervising Deputy Attorney General

24 */s/ Jerry J. Deschler*
25 JERRY J. DESCHLER
26 Deputy Attorney General
Attorneys for Defendants California
Department of Public Health and
Department of Toxic Substances Control

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

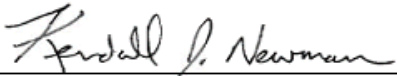
ORDER

Having reviewed the parties' stipulation, and good cause appearing therefore,

IT IS HEREBY ORDERED:

The Parties' request that the Court schedule a settlement conference to be held after Plaintiff and Defendant receive Magistrate Judge Newman's ruling on Defendant's motion for summary judgment is granted. The settlement conference shall be presided over by a judge other than Magistrate Judge Newman.

Dated: January 26, 2018


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE