

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 PETER D. HALLORAN, State Bar No. 184025  
 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*  
 13 *California Department of Public Health and*  
*Department of Toxic Substances Control*

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

19 **DEV PATEL,**

20 Plaintiff,

21 v.

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

25 Defendant.

2:15-cv-02471-KJN

**STIPULATION AND REQUEST FOR  
 CONTINUANCE OF 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 filed a motion for summary judgment before Magistrate Judge  
6 Newman, which has not yet been ruled upon; and

7 WHEREAS in the event the case was not disposed of by summary judgment, Plaintiff and  
8 Defendants desired to schedule a settlement conference after receiving the ruling on Defendants’  
9 motion for summary judgment, to be presided over by a judge other than Magistrate Judge  
10 Newman; and

11 WHEREAS the case was assigned to Magistrate Judge Gregory D. Hollows for a settlement  
12 conference at 9:00 a.m. on June 7, 2018.

13 Plaintiff and Defendants stipulate and agree as follows: Plaintiff and Defendant request  
14 that the settlement conference scheduled for June 7, 2018 be continued to September 6, 2018 at  
15 9:00 a.m. if the case is not disposed of by summary judgment prior to that date.

16 IT IS SO STIPULATED.

17 Dated: June 4, 2018

Respectfully submitted,

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

21 Dated: June 4, 2018

Respectfully submitted,

22 XAVIER BECERRA  
23 Attorney General of California  
24 PETER D. HALLORAN  
Supervising Deputy Attorney General

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

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**ORDER**

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

IT IS HEREBY ORDERED:

The settlement conference scheduled for June 7, 2018 shall be continued to September 6, 2018 at 9:00 a.m. if the case is not disposed of by summary judgment prior to that date.

Dated: June 5, 2018

/s/ Gregory G. Hollows  
UNITED STATES MAGISTRATE JUDGE

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**CERTIFICATE OF SERVICE**

Case Name: Dev Patel v. State of California No. 2:15-cv-02471-KJN

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I hereby certify that on June 4, 2018, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

**STIPULATION AND REQUEST FOR CONTINUANCE OF SETTLEMENT CONFERENCE; ORDER THEREON**

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on June 4, 2018, at Sacramento, California.

\_\_\_\_\_  
Shelley O'Mary  
Declarant

\_\_\_\_\_  
*/s/ Shelley O'Mary*  
Signature

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