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16 Attorney for Plaintiff
 17 MATHEW L. SPURLING

18 UNITED STATES DISTRICT COURT
 19 EASTERN DISTRICT OF CALIFORNIA

20 MATHEW L. SPURLING,

21 Plaintiff,

22 v.

23 OFFICER JASON JOHNSON (Vacaville
 24 Police Department, Badge #557), in his official
 25 and individual capacities,

26 Defendant.

Case No. 2:16-CV-01366-TLN-AC

**STIPULATION AND ORDER TO MODIFY
 PRETRIAL SCHEDULING ORDER TO
 CONTINUE SETTLEMENT CONFERENCE**

TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Plaintiff MATHEW L. SPURLING and defendant OFFICER JASON JOHNSON by and through their attorneys of record, hereby stipulate as follows:

IT IS HEREBY STIPULATED BY AND BETWEEN the parties to the above captioned matter that the settlement conference scheduled for January 4, 2017 at 9:30 am before Magistrate Judge Kendall

1 J. Newman, be continued to January 25, 2017 at 9:30 am or to a date thereafter that is available to the
2 Court.

3 The continuance is necessary because counsel for defendant OFFICER JASON JOHNSON will
4 be unavailable on January 4, 2017 due to an already scheduled family vacation.

5 On September 8, 2016, defense counsel spoke with Magistrate Judge Newman's Courtroom
6 Deputy, Matt Caspar, regarding available dates for the settlement conference. Mr. Caspar confirmed
7 January 25, 2017 at 9:30 am is available for the settlement conference.

8 **IT IS SO STIPULATED.**

9 Dated: September 9, 2016

BERTRAND, FOX, ELLIOT,
OSMAN & WENZEL

10
11 By: s/ Richard W. Osman
12 Richard W. Osman
13 Sheila D. Crawford
14 Attorneys for Defendant
15 OFFICER JASON JOHNSON

16 Dated: September 9, 2016

MARK W. KELSEY LAW

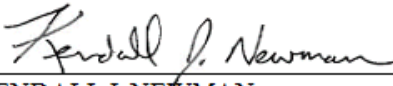
17 By: s/ Mark W. Kelsey
18 Mark W. Kelsey
19 Attorneys for Plaintiff
20 MATHEW L. SPURLING

21 **ORDER**

22 Having reviewed the stipulation of counsel herein, IT IS HEREBY ORDERED that the
23 settlement conference scheduled for January 4, 2017, at 9:30 a.m., shall be continued to January 25,
24 2017, at 9:30 a.m.

25 **IT IS SO ORDERED.**

26 Dated: September 9, 2016

27 
28 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE