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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSEPH P. CUVIELLO

Plaintiff,

v.

CITY OF VALLEJO, CLAUDIA QUINTANA,
M. CUTNICK, M. KOUTNICK, and
S. BOTTOMLY

Defendants.

Case No. 2:16-cv-02584-KJM-KJN

**STIPULATED REQUEST FOR SETTLEMENT
CONFERENCE; ORDER**

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

2 Plaintiff JOSEPH P. CUVIELLO and defendants CITY OF VALLEJO and MICHAEL
3 KOUTNICK by and through their attorneys of record, hereby stipulate as follows:

4 1. Counsel for the parties have engaged in settlement discussions, but to date have not been able to
5 resolve this matter. Counsel recently met and conferred and agreed that referral to a magistrate judge for
6 a settlement conference likely would give the parties the best opportunity to resolve this case.

7 2. The parties therefore request a referral to a randomly assigned magistrate judge.

8 3. Plaintiff's counsel does not consent to having the settlement conference with the assigned
9 magistrate judge, Hon. Kendall Newman.

10 4. If the magistrate judge assigned to preside over the settlement conference is available in January,
11 the parties could be available, the parties are available January 11, 13, 14, 20 or 22.

12 Dated: December 9, 2020

BERTRAND, FOX, ELLIOT, OSMAN & WENZEL

13 By: /s/ Richard W. Osman
14 Richard W. Osman
15 Sheila D. Crawford
16 Attorneys for Defendants
CITY OF VALLEJO & MICHAEL KOUTNICK

17 Dated: December 9, 2020

LAW OFFICE OF MATTHEW STRUGAR

18 By: /s/ Matthew Strugar
19 Matthew Strugar
20 Attorney for Plaintiff
JOSEPH P. CUVIELLO

21 **ELECTRONIC CASE FILING ATTESTATION**

22 I, Richard W. Osman, hereby attest that I have on file all holograph signatures for any signatures
23 indicated by a conformed signature (“/s/”) within this E-filed document or have been authorized by
24 counsel to show their signature on this document as /s/.

25 Dated: December 9, 2020

BERTRAND, FOX, ELLIOT, OSMAN & WENZEL

26 /s/ Richard Osman
27 Richard W. Osman
28

1 ORDER

2 Pursuant to the parties' stipulation, ECF No. 81, this matter is referred to a settlement conference
3 with Magistrate Judge Peterson on January 20, 2021 at 9:00 a.m., with a pre-settlement conference on
4 January 14, 2021 at 2:00 p.m. Judge Peterson will hold a brief pre-settlement conference telephone
5 discussion on 1/14/2021 at 2:00 p.m. Only lead attorneys are to dial-in for the pre-settlement conference
6 at number: 1-888-557-8511; passcode: 1273468. At Judge Peterson's discretion, the joint telephonic
7 discussion may be followed by private telephonic discussions between him and each party.

8 This order resolves ECF No. 81.

9 IT IS SO ORDERED.

10 Dated: December 14, 2020.

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13 CHIEF UNITED STATES DISTRICT JUDGE
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