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13 Attorneys for Plaintiff
 14 CALIFORNIA RIVER WATCH

15 UNITED STATES DISTRICT COURT
 16 EASTERN DISTRICT OF CALIFORNIA

17 CALIFORNIA RIVER WATCH, an
 18 IRC Section 501(c)(3), non-profit,
 19 public benefit corporation,

CASE NO: 2:16-cv-02972-KJM-KJN

**JOINT STIPULATION TO STAY
 DISCOVERY AND SET FURTHER
 STATUS CONFERENCE**

20 Plaintiff,
 21 v.

22 JOHN DONNELLY SWEENEY;
 23 POINT BUCKLER, LLC; POINT
 24 BUCKLER CLUB, LLC; DOES 1
 25 through 10, Inclusive.

Courtroom 3
 Honorable Kimberly J. Mueller

26 Defendants.
 27 _____ /

28 **STIPULATION**

1 Plaintiff California River Watch (“Plaintiff”) and Defendants John D. Sweeney
2 and Point Buckler Club, LLC (also sued as Point Buckler, LLC) (collectively
3 “Defendants) hereby stipulate as follows:

4 1. An Initial Status Conference was held in this matter on November 30,
5 2017. The parties filed a Status Conference Report on November 21, 2017 (Dk #
6 43) in which they agreed to coordinate discovery with each other and with the United
7 States in the related case filed against Defendants by the United States - *United States*
8 *v. John Sweeney, et al.*, 2:17-cv-00112 KJM-KJN.

9 2. Following the Initial Status Conference, this Court issued its Pretrial
10 Conference Scheduling Order (Dk # 46) in which this matter was referred to
11 Magistrate Judge Kendall J. Newman for settlement. Judge Newman also serves as
12 settlement judge in the related case. The parties were given a deadline for the close
13 of non-expert discovery on January 15, 2019. Further, the Court set an April 15,
14 2019 deadline for the hearing of all dispositive motions. No trial date or Final
15 Pretrial Conference date has been set, pending the resolution of any dispositive
16 motions, or the passage of the dispositive motion cutoff.

17 3. The Court issued a Minute Order on December 12, 2017 ordering a
18 settlement conference to be set with Magistrate Newman. The parties were instructed
19 not to undertake any further discovery unless informally agreed upon by the parties
20 prior to the settlement conference.

21 4. A Settlement Conference in this matter was held before Magistrate
22 Newman on February 21, 2018 at which time Plaintiff presented an offer of
23 settlement which would remain open for a period of thirty (30) days, allowing
24 Defendants time to continue their negotiations for settlement in the related case.

25 5. Defendants have participated in settlement conferences before Magistrate
26 Newman in the related case on February 28, 2018, March 9, 2018, and May 9, 2018

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1 (telephonically) at which time a further telephonic conference re settlement was set
2 for June 5, 2018.

3 6. In light of these facts, the parties hereby stipulate to stay any further
4 discovery in this matter pending the outcome of the parties' settlement discussions
5 before Magistrate Newman, and further stipulate, subject to Court approval, that a
6 further Status Conference be scheduled on or about October 25, 2018.

7 7. One week prior to the Status Conference the parties will provide an
8 updated Status Conference Report with proposed new dates for discovery schedule,
9 pretrial conference and trial.

10
11 DATED: May 23, 2018 LAW OFFICE OF JACK SILVER
12 By: /s/ Jack Silver
13 Jack Silver

14 DATED: May 23, 2018 LAW OFFICE OF EDWARD E. YATES
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16 By: /s/ Edward E. Yates
Edward E. Yates
17 Attorneys for Plaintiff
18 CALIFORNIA RIVER WATCH

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20 DATED: May 23, 2018 BRISCOE IVESTER & BAZEL LLP
21 By: /s/ Lawrence S. Bazel
22 Lawrence S. Bazel
23 Attorney for Defendants
24 JOHN D. SWEENEY and POINT
BUCKLER CLUB, LLC (also sued as
Point Buckler, LLC)

1 In light of the parties' stipulation, discovery in this matter is STAYED
2 pending the outcome of the upcoming settlement discussions before Judge Newman.
3 The parties are ORDERED to file a joint status report within 30 days, and every 30
4 days thereafter, addressing the status of their settlement discussions and whether the
5 stay remains appropriate. Further, at the parties' request, the court will hold a status
6 conference on October 25, 2018 at 2:30 p.m., with the filing of an updated joint status
7 report due seven days prior.

8 IT IS SO ORDERED.

9 DATED: June 5, 2018.


UNITED STATES DISTRICT JUDGE

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