

1 Jack Silver, Esq. SB #160575
2 LAW OFFICE OF JACK SILVER
3 708 Gravenstein Hwy North. # 407
4 Sebastopol, CA 95472-2808
5 Tel. (707) 528-8175
6 Email: JSilverEnvironmental@gmail.com

7 Edward E. Yates, Esquire SB# 135138
8 LAW OFFICE OF EDWARD E. YATES
9 20 Skylark Drive, #12
10 Larkspur, CA 94939
11 Tel. (415) 990-4805
12 Email: eyates@marinlandlaw.com

13 Attorneys for Plaintiff
14 CALIFORNIA RIVER WATCH

15 UNITED STATES DISTRICT COURT
16 EASTERN DISTRICT OF CALIFORNIA

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

20 Plaintiff,

21 v.

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

25 Defendants.

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

**STIPULATION AND ORDER TO SET
FURTHER SETTLEMENT
CONFERENCE**

Date: June 12, 2019

Time: 9:00 am

Ctrlm: 25

Judge: Hon. Kendall J. Newman

STIPULATION

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

1. An Initial Status Conference was held in this matter on November 30, 2017. The Court issued its Pretrial Conference Scheduling Order (Dk #46) in which this matter was referred to

1 Magistrate Judge Kendall J. Newman for settlement. Judge Newman also serves as settlement judge
2 in the related case - *United States v. John Sweeney, et al.*, 2:17-cv-00112 KJM-KJN.

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

7 3. Upon Stipulation of the parties, this Court (Hon. Kimberly J. Mueller) issued its Order
8 of June 5, 2018 (Dk #54) staying discovery in this matter. The stay remains in effect at this time.

9 4. Defendants' settlement discussions in the related case are no longer pending.

10 5. The parties in the present case have discussed and considered resolution options, and
11 agree a further settlement conference with Magistrate Judge Newman would be beneficial.

12 6. The parties stipulate that this matter be set for a further Settlement Conference before
13 Magistrate Judge Newman on June 12, 2019 at 9:00 a.m., the Court having advised that this date is
14 available.

15 DATED: 03-26-19

BRISCOE IVESTER & BAZEL LLP

16 By: /s/ Lawrence S. Bazel

17 Lawrence S. Bazel

18 Attorney for Defendants

19 JOHN D. SWEENEY and POINT BUCKLER CLUB,
20 LLC (also sued as Point Buckler, LLC)

21 DATED: 03-26-19

LAW OFFICE OF JACK SILVER

22 By: /s/ Jack Silver
23 Jack Silver

24 DATED: 03-26-19

LAW OFFICE OF EDWARD E. YATES

25 By: /s/ Edward E. Yates
26 Edward E. Yates

27 Attorneys for Plaintiff

28 CALIFORNIA RIVER WATCH

1 **ORDER**

2 This Court, having received and reviewed the Stipulation of the parties referenced immediately
3 above, and finding good cause therefore,


4 **IT IS SO ORDERED THAT,**

5 This matter is set for further Settlement Conference on Wednesday, June 12, 2019, at 9:00
6 a.m., in Courtroom 25 of this Court.

7 The parties are reminded to have a principal with full settlement authority present for the
8 settlement conference or to be fully authorized to settle the matter on any terms. The individual with
9 full settlement authority to settle must also have unfettered discretion and authority to change the
10 settlement position of the party, if appropriate. The purpose behind requiring attendance of a person
11 with full authority is that the parties view of the case may be altered during the face to face
12 conference. An authorization to settle for a limited dollar amount or sum certain can be found not to
13 comply with the requirement of full authority to settle.
14

15 The parties are directed to exchange non-confidential settlement conference statements seven
16 days prior to the settlement conference. These statements shall be simultaneously delivered to the
17 Court using the following email address: kjnorders@caed.uscourts.gov. These statements should not
18 be filed on the case docket. If a party desires to share additional confidential information with the
19 Court, they may do so pursuant to Local Rule 270(d) and (e).
20

21 Dated: March 27, 2019

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23 
24 KENDALL J. NEWMAN
25 UNITED STATES MAGISTRATE JUDGE
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