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 6 Attorneys for Plaintiff  
 MYRTLE STREET FLATS LLC, d/b/a Sunrise  
 7 Properties

8 **UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA**

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 11 MYRTLE STREET FLATS LLC, d/b/a Sunrise  
 Properties,  
 12  
 Plaintiff,  
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 v.  
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 15 CITY OF VALLEJO, a public entity,  
 VINCENT SPROETE, an individual, JACK  
 16 McARTHUR, an individual, DANIEL E.  
 KEEN, an individual, LONELL BUTLER, an  
 17 individual, ROBERT CHAMBERS, an  
 individual, MICHELLE HIGHTOWER, an  
 18 individual, EMERGENCY CONSTRUCTION  
 SERVICES, INC., a California corporation, and  
 19 DOES 1-25  
 20  
 Defendants.  
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Case No. 2:17-cv-01662-JAM-KJN

**STIPULATION AND ORDER TO ELECT  
 REFERRAL OF ACTION TO  
 VOLUNTARY DISPUTE RESOLUTION  
 PROGRAM (VDRP) PURSUANT TO  
 LOCAL RULE 271**

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 25 Pursuant to Local Rule 271, the parties hereby agree to submit the above-entitled action  
 26 to the Voluntary Dispute Resolution Program. The parties do not presently request a stay of any  
 27 matters, as they believe the Court’s rulings on the pending motions—Sunrise’s motion for a  
 28 preliminary injunction (Dkt. No. 3) and Vallejo’s motion to dismiss (Dkt. No. 12)—will assist

1 the parties in productively participating in the Voluntary Dispute Resolution Program.

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3 Date: November 22, 2017

**KERR & WAGSTAFFE LLP**

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By: /s/ Frank Busch  
FRANK BUSCH

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Attorneys for Plaintiff  
MYRTLE STREET FLATS LLC  
d/b/a Sunrise Properties

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9 Date: November 22, 2017

**EDRINGTON, SCHIRMER & MURPHY LLP**

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By: /s/ Jordan C. Meyer (as authorized on 11/21/2017).  
JORDAN C. MEYER

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Attorneys for Defendants  
CITY OF VALLEJO, VINCENT SPROETE, JACK  
MCARTHUR, DANIEL E. KEEN, LONELL  
BUTLER, ROBERT CHAMBERS, and  
MICHELLE HIGHTOWER

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16 Date: November 22, 2017

**THE CARDOZA LAW OFFICES**

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By: /s/ Jacqueline C. Murphy (as authorized on  
11/21/2017).  
JACQUELINE C. MURPHY

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Attorneys for Defendant  
EMERGENCY CONSTRUCTION  
SERVICES, INC.

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IT IS SO ORDERED.

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24 Date: November 22, 2017

/s/ JOHN A. MENDEZ  
HON. JOHN A. MENDEZ  
UNITED STATES DISTRICT COURT JUDGE

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