

1 DAVID P. MASTAGNI, ESQ. (SBN 57721)

david@mastagni.com

2 ISAAC S. STEVENS, ESQ. (SBN 251245)

istevens@mastagni.com

3 **MASTAGNI HOLSTEDT**

4 *A Professional Corporation*

1912 "I" Street

5 Sacramento, California 95811-3151

6 Telephone: (916) 446-4692

Facsimile: (916) 447-4614

7 Attorneys for Plaintiffs

8 CHRIS ANDREW and RICHARD MAYBERRY

9 **UNITED STATES DISTRICT COURT**

10 **EASTERN DISTRICT OF CALIFORNIA**

11 CHRIS ANDREW and RICHARD
12 MAYBERRY, suing individually and by and
on behalf of all others similarly situated,

13 Plaintiffs,

14 v.

15 CITY OF SACRAMENTO; NATIONWIDE
16 INVESTMENT SERVICES CORPORATION,
an Ohio Corporation; INTERNATIONAL
17 CITY/COUNTY MANAGERS
ASSOCIATION-RETIREMENT
18 CORPORATION, a District of Columbia
Company,

19 Defendants.

Case No. 2:17-cv-02266-JAM-KJN

**JOINT STIPULATION TO CONTINUE
DEADLINE TO FILE DISPOSITION
DOCUMENTS**

Hon. John A. Mendez

21 As set forth in the Court's June 21, 2018 Minute Order (Doc. No. 28), Plaintiffs Chris
22 Andrew and Richard Mayberry, and Defendants City of Sacramento (the "City"), Nationwide
23 Investment Services Corporation ("Nationwide"), and International City/County Managers
24 Association-Retirement Corporation ("ICMA RC") (collectively, "Parties") reached a settlement
25 in principal during the June 21, 2018 settlement conference before Magistrate Judge Claire.

26 As previously reported to this Court, the Parties' signed settlement agreement requires
27 independent fiduciary review prior to the Parties' filing of dispositional documents. This
28 independent fiduciary review is not yet complete. The Parties are simply waiting for the fiduciary

1 to complete its review, however events caused by the COVID-19 Pandemic have caused further
2 unanticipated delays. For this reason, the Parties again request that the deadline to file final
3 disposition documents be extended to August 31, 2020, in order to carry out certain terms of the
4 settlement agreement.

5 The June 21, 2018 Minute Order set forth a deadline of September 26, 2018 for the Parties
6 to file final disposition documents. On September 24, 2018, the Parties filed a stipulation
7 requesting the deadline to file final disposition documents be extended to November 16, 2018.
8 (Doc. No. 29). That stipulated request was granted by the Court on September 25, 2018. (Doc.
9 No. 30). On November 15, the Parties filed a second stipulation requesting that the deadline to file
10 final disposition documents be extended to February 22, 2019. (Doc. No. 33). The second
11 stipulated request was granted by the Court on November 16, 2018. (Doc. No. 34). On February
12 20, 2019, the Parties filed a third stipulation requesting that the deadline to file final disposition
13 documents be extended to April 19, 2019. (Doc. No. 35). The third stipulated request was granted
14 by the Court on February 21, 2019. (Doc. No. 36). On April 17, 2019, the Parties filed a fourth
15 stipulation requesting additional time to July 19, 2019. (Doc. No. 37). That stipulation was granted
16 by the Court on April 18, 2019. (Doc. No. 38). On July 18, 2019, the Parties filed a fifth stipulation
17 requesting additional time to August 30, 2019. (Doc. No. 40). That stipulation was granted by the
18 Court on July 19, 2019. (Doc. No. 41). On August 30, 2019, the Parties filed a sixth stipulation
19 requesting additional time to October 16, 2019. (Doc. No. 42). That stipulation was granted by
20 the Court on September 3, 2019. (Doc. No. 43). On October 17, 2019 the Parties filed a seventh
21 stipulation requesting additional time to November 22, 2019. (Doc. No. 44). That stipulation was
22 granted by the Court on October 17, 2019. (Doc. No. 45). On November 25, 2019, the Parties filed
23 an eighth stipulation requesting additional time to December 20, 2019. (Doc. No. 46). That
24 stipulation was granted by the Court on November 25, 2019. (Doc. No. 47). On December 20,
25 2019, the Parties filed a ninth stipulation requesting additional time to March 4, 2020. (Doc. No.
26 48). That stipulation was granted by the Court on December 26, 2020. (Doc. No. 49). On March
27 5, 2020, the Parties filed a tenth stipulation requesting additional time to June 2, 2020. (Doc. No.
28 50). That stipulation was granted by the Court on March 5, 2020. (Doc. No. 51).

1 Dated: June 3, 2020

Respectfully submitted,

2

MAYER BROWN, LLP

3

4

By: /s/ Andrew Z. Edelstein (as authorized
6/3/20)

5

Andrew Z. Edelstein
Attorneys for Defendant
INTERNATIONAL CITY/COUNTY
MANAGERS ASSOCIATION-RETIREMENT
CORPORATION

6

7

8

9 Dated: June 3, 2020

Respectfully submitted,

10

O'MELVENY & MYERS LLP

11

12

By: /s/ Susannah K. Howard (as authorized
6/3/20)

13

Susannah K. Howard
Attorneys for Defendant
NATIONWIDE INVESTMENT SERVICES
CORPORATION

14

15

16 Dated: June 3, 2020

Respectfully submitted,

17

MASTAGNI HOLSTEDT, APC

18

19

By: /s/ Isaac S. Stevens
Isaac S. Stevens
Attorneys for Plaintiffs
CHRIS ANDREW and RICHARD
MAYBERRY

20

21

22 Dated: June 3, 2020

Respectfully submitted,

23

BUCHALTER

24

25

By: /s/ Kevin T. Collins (as authorized 6/3/20)
Kevin T. Collins

26

Attorneys for Defendant
CITY OF SACRAMENTO

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

IT IS SO ORDERED. The deadline for the Parties to file final disposition documents shall be extended to August 31, 2020.

Dated: June 3, 2020

/s/ John A. Mendez
Hon. John A. Mendez
United States District Court Judge