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16 Attorneys for Defendants
CITY OF CHICO, CHICO POLICE
DEPARTMENT, SCOTT RUPPEL,
17 CEDRIC SCHWYZER, ALEX FLIEHR,
18 and JEREMY GAGNEBIN

19 UNITED STATES DISTRICT COURT
20 EASTERN DISTRICT OF CALIFORNIA
21 SACRAMENTO DIVISION

22 ESTATE OF TYLER S. RUSHING, SCOTT K.
RUSHING, and PAULA L. RUSHING,

23 Plaintiffs,

24 vs.

25 CITY OF CHICO, CHICO POLICE
DEPARTMENT, SCOTT RUPPEL, CEDRIC
26 SCHWYZER, ALEX FLIEHR, and JEREMY
27 GAGNEBIN,

28 Defendants.

Case No. 2:18-cv-01692-MCE-AC

**STIPULATION FOR REFERRAL AND
SETTLEMENT CONFERENCE; ORDER**

1 **STIPULATION**

2 Pursuant to Local Rule 270, the parties— Plaintiffs Estate of Tyler S. Rushing, Scott K. Rushing,
3 and Paula L. Rushing (collectively, “Plaintiffs”) and Defendants City of Chico, Chico Police Department,
4 Scott Ruppel, Cedric Schwyzer, Alex Fliehr, and Jeremy Gagnebin (collectively, “Defendants”)—submit
5 the following Joint Stipulation for Settlement Conference.

6 WHEREAS, the parties jointly agree to participate in a settlement conference before
7 Magistrate Judge Kendall J. Newman;

8 WHEREFORE, the parties have contacted and confirmed the availability of their principals and
9 Magistrate Judge Kendall J. Newman to conduct a settlement conference in this matter on November 28,
10 2023; and

11 Now, THEREFORE, the parties STIPULATE:

- 12 1. that this matter shall be REFERRED to Magistrate Judge Kendall J. Newman for purposes
- 13 of scheduling and conducting a settlement conference; and
- 14 2. that a settlement conference shall be SCHEDULED to occur in this matter before
- 15 Magistrate Judge Kendall J. Newman on November 28, 2023.

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1 IT IS SO STIPULATED.

2 Dated: September 26, 2023

Respectfully Submitted,
LAW OFFICE OF MARK E. MERIN

3 /s/ Mark E. Merin

4 By: _____

5 Mark E. Merin
6 Paul H. Masuhara

7 Attorneys for Plaintiffs
8 ESTATE OF TYLER S. RUSHING,
SCOTT K. RUSHING, and PAULA L. RUSHING

9 Dated: September 26, 2023

Respectfully Submitted,
ALVAREZ-GLASMAN & COLVIN

10 /s/ Sharon Medellín
11 (as authorized on September 26, 2023)

12 By: _____

13 Roger A. Colvin
14 Sharon Medellín

15 Attorneys for Defendants
16 CITY OF CHICO, CHICO POLICE
17 DEPARTMENT, SCOTT RUPPEL,
18 CEDRIC SCHWYZER, ALEX FLIEHR,
and JEREMY GAGNEBIN


18 **ORDER**

19 GOOD CAUSE APPEARING, the parties' stipulation is GRANTED.

- 20 1. This matter is REFERRED to Magistrate Judge Kendall J. Newman for purposes of
21 scheduling and conducting a settlement conference.
- 22 2. A settlement conference is SCHEDULED to occur in this matter before Magistrate Judge
23 Kendall J. Newman on November 28, 2023.

24 IT IS SO ORDERED.

25 Dated: September 27, 2023

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28 MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE