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13 UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA

15 KAREN SUTHERLAND, et al.
16 Plaintiffs,
17 vs.
18 CITY OF STOCKTON, et al.
19 Defendants.

Case No.: 2:21-cv-01855-WBS-AC

**STIPULATION TO VACATE DATES IN
SCHEDULING ORDER AND STAY
CASE PENDING SETTLEMENT;
ORDER**

[No hearing requested]

1 All Plaintiffs and all Defendants, all through their undersigned counsel of record,
2 stipulate as follows:

3 RECITALS

4 A. On October 4, 2021, Plaintiffs filed this lawsuit. Plaintiffs are suing under
5 42 U.S.C. Section 1983 regarding the death of an individual.

6 B. The operative Scheduling Order, filed December 1, 2023 (ECF 57), sets
7 the following dates:

8 Percipient and Expert Discovery Cutoff :	March 25, 2024
9 Motion Filing Cutoff:	June 4, 2024
10 Final Pretrial Conference:	August 26, 2024
Trial:	October 22, 2024

11 C. On February 1, 2024, the parties mediated this case with Tamara Lange
12 of JAMS and reached a settlement in principle of the entire case. The parties
13 documented their settlement in a binding term sheet. The settlement is subject to formal
14 approval by the City of Stockton City Council, scheduled for March 12, 2024, and formal
15 approval by the California Joint Powers Risk Management Authority Board of Directors,
16 scheduled for March 21, 2024, and an order granting a minors' compromise, which
17 Plaintiffs will file with this Court shortly. The settlement contemplates a dismissal with
18 prejudice of the entire case, each side to bear its own fees and costs.

19 D. To avoid the large expense the parties would need to incur to conduct
20 depositions of the 20 experts who have been disclosed, as well as litigation over a
21 potentially dispositive motion Defendants otherwise would file, and the Court's
22 resources in dealing with the dispositive motion, any discovery issues, and the final
23 pretrial conference, the parties respectfully request the Court vacate all the dates in the
24 Scheduling Order and stay the case pending settlement. The parties do not anticipate
25 the settlement not proceeding as planned, but if that happens the parties will promptly
26 notify the Court so the Court can reschedule dates.

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STIPULATION

IT IS STIPULATED AND AGREED, by all parties, through their counsel of record, that the Court vacate all the dates in the Scheduling Order and stay the case pending a final settlement.

Respectfully Submitted,

Dated: February 6, 2024

HERUM CRABTREE SUNTAG, LLP

By: /s/ Joshua J. Stevens
DANA A. SUNTAG
JOSHUA J. STEVENS
Attorneys for all Defendants

Dated February 6, 2024

V. JAMES DESIMONE LAW

By: /s/ Jenica P. Leonard
V. JAMES DESIMONE
JENICA P. LEONARD
Attorneys for all Plaintiffs

SIGNATURE ATTESTATION

Pursuant to Eastern District of California Local Rule 131(e), I attest that I obtained authorization to place Plaintiffs' counsel's e-signature on this document and to file this document with the Court.

By: /s/ - Joshua J. Stevens
Joshua J. Stevens

ORDER

The Court, having considered the above stipulation, and good cause appearing, rules as follows:

The relief the parties request is GRANTED. All dates in the Scheduling Order filed on December 1, 2023, are vacated and the case is stayed pending the parties' finalization of their settlement. A Status Conference Re Status of Settlement is set in

1 this action for **May 20, 2024 at 1:30 p.m.** A joint status report shall be filed no later
2 than **May 6, 2024.**

3 IT IS SO ORDERED.

4 Dated: February 7, 2024



5 WILLIAM B. SHUBB
6 UNITED STATES DISTRICT JUDGE
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