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 17 DELGADO, MATTHEW CATE AND MICHAEL EVANS

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 19 UNITED STATES DISTRICT COURT  
 20 NORTHERN DISTRICT OF CALIFORNIA  
 21 OAKLAND DIVISION

23 ANTHONY L. ROBINSON,  
 24 Plaintiff,  
 25 v.  
 26 ROGELIO DELGADO *et al.*,  
 27 Defendants.

Case No. C02-1538 CW (PR)

**STIPULATION AND ORDER REFERRING  
 CASE TO MAGISTRATE JUDGE NANDOR  
 VADAS**

Trial Date: September 22, 2008  
 Time: 8:30 a.m.  
 Place: Courtroom 2  
 Judge: Honorable Claudia Wilken

1 Plaintiff Anthony L. Robinson and defendants Paul Olivarria, Rogelio Delgado, Matthew  
2 Cate (in his official capacity as Secretary of the California Department of Corrections and  
3 Rehabilitation) and Michael Evans (in his official capacity as Warden of Salinas Valley State  
4 Prison) (collectively, "Defendants") hereby stipulate to the following:

5 **WHEREAS**, the matter in the above-named case is currently set to be tried in this Court  
6 before the Honorable Claudia Wilken beginning on September 22, 2008;

7 **WHEREAS**, on August 8, 2008, the Court entered a Writ Ad Testificandum and Order,  
8 requiring, among other things, that Mr. Robinson be transported to San Quentin prior to and for  
9 the duration of the trial;

10 **WHEREAS**, a pretrial conference has been scheduled for September 18, 2008;

11 **WHEREAS**, the parties have submitted to the Court all pretrial filings required in the Order  
12 for Pretrial Preparation, including the parties' Joint Pretrial Conference Statement;

13 **WHEREAS**, the Joint Pretrial Conference Statement provides that both parties consent to  
14 try this case before Magistrate Judge Nandor Vadas;

15 **WHEREAS**, Magistrate Judge Vadas has informed the parties that he is willing to accept  
16 referral of this case for all purposes, including trial and entry of judgment therein, and that he is  
17 available to conduct the trial beginning in or after April 2009;

18 **WHEREAS**, the parties agree that the case should be referred to Magistrate Judge Vadas  
19 for all purposes and that the September 22, 2008 trial date should be vacated;

20 **NOW, THEREFORE**, it is hereby stipulated and agreed, by and between the parties hereto  
21 through their counsel of record, subject to approval of the Court, that: (1) this case be referred to  
22 Magistrate Judge Vadas for all purposes, including trial and entry of judgment, pursuant to 28  
23 U.S.C. § 636(c); (2) all dates, including the September 22, 2008 trial date and the September 18,  
24 2008 pretrial conference date, be vacated; and (3) the Writ Ad Testificandum and Order be  
25 vacated.

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Dated: September 11, 2008

COOLEY GODWARD KRONISH LLP

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Angela L. Dunning (212047)

Attorneys for Plaintiff  
ANTHONY L. ROBINSON

Dated: September 11, 2008

OFFICE OF THE ATTORNEY GENERAL

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Julianne Mossler (243749)

Attorneys for Defendants PAUL OLIVARRIA,  
ROGELIO DELGADO, MATTHEW CATE AND  
MICHAEL EVANS

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

9/16/08

Dated: \_\_\_\_\_



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HONORABLE CLAUDIA WILKEN  
United States District Judge