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 LEE LAMBERT, JANINE LOWE, SCOTT SPIVEY,  
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 JUDY THEIN, ROY SIMONS, TODD MILLER,  
 8 CARL MILLER, RODD JOSEPH, AND BRETT RHODES

9  
 10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA

13	GRANT MEYER AND MARILYN MEYER,	)	Case No. 3:08-cv-04372 MEJ
14	Plaintiffs,	)	STIPULATION AND
15	vs.	)	<del>PROPOSED</del> ORDER TO STAY
		)	ALL PROCEEDINGS
16	CITY OF CLEARLAKE, ALLAN McLAIN, LEE	)	
17	LAMBERT, JANINE LOWE, SCOTT SPIVEY,	)	
18	CURT GIAMBRUNO, CHUCK LEONARD, JUDY	)	
19	THEIN, ROY SIMONS, TODD MILLER, CARL	)	
20	MILLER, JOSEPH ROOD, SARGENT RHODES,	)	
21	PACIFIC GAS & ELECTRIC, AND ALL	)	
	AMERICAN TOWING,	)	
	Defendants.	)	

22 WHEREAS, the parties to the above-captioned action have reached an agreement in principle for  
 23 full and final settlement of the action, which agreement needs to be reduced to writing; and

24 WHEREAS, the terms of said agreement are to be recorded in a consent decree that the parties  
 25 are presently preparing;

26 The parties, by and through their respective counsel, hereby stipulate that all proceedings in the  
 27 action, including but not limited to defendants' motion for summary judgment and the trial, be stayed  
 28 pending the execution of said consent decree and the full performance of the terms thereof, and the

1 parties hereby request that the Court enter an order pursuant to their stipulation.

2 SO STIPULATED.

3  
4 Dated: March 25, 2010.

5 LOW, BALL & LYNCH

6  
7 By s/ Dirk D. Larsen  
8 DALE L. ALLEN, JR.  
9 MARK F. HAZELWOOD  
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12 CITY OF CLEARLAKE, ALLAN McLAIN,  
LEE LAMBERT, JANINE LOWE, SCOTT  
SPIVEY, CURT GIAMBRUNO, CHUCK  
LEONARD, JUDY THEIN, ROY SIMONS, TODD  
MILLER, CARL MILLER, RODD JOSEPH, AND  
BRETT RHODES

13 Dated: March 25, 2010.

14  
15 By s/ Frear Stephen Schmid  
16 FREAR STEPHEN SCHMID  
17 Attorney for Plaintiffs  
18 GRANT MEYER AND MARILYN MEYER

18 ~~PROPOSED~~ ORDER

19 Pursuant to the stipulation of the parties herein, it is HEREBY ORDERED that all proceedings in  
20 the above-captioned action are stayed pending the execution of the consent decree to be prepared by the  
21 parties and the full performance of the terms thereof.

22 IT IS SO ORDERED. That all dates are hereby vacated and all proceedings are stayed.

23  
24 Dated: March 26, 2010.

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26   
27 HON. MARI ELENA JAMES  
28 U.S. MAGISTRATE JUDGE