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5 Attorneys for Plaintiff
 6 RUFUS CATCHINGS

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11	RUFUS CATCHINGS,)	Case No. 10-00625-TEH (MEJ)
)	
12	Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER CONTINUING THE
13	vs.)	MANDATORY SETTLEMENT
)	CONFERENCE
14	KEN SALAZAR, in his official capacity as)	
15	Secretary of the Interior,)	
)	
16	Defendant.)	
17)	

18 WHEREAS Plaintiff's lead attorney, Richard Hoyer, will be undergoing hip-replacement
 19 surgery on October 18, 2010, and will be bed-ridden in the hospital on October 20, 2010, the date
 20 of the mandatory settlement conference.
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22 WHEREAS Also, due to Mr. Hoyer's previous surgeries, Plaintiff has been unable to
 23 complete depositions of key witnesses in time to prepare for the mandatory settlement conference
 24 and will need additional time to complete such discovery.

25 WHEREAS Plaintiff's attorney is unavailable to complete key depositions until mid-
 26 March, 2011 due to previously-scheduled trials, arbitration hearings, and mediations. Plaintiff
 27

28 **STIPULATION AND ~~PROPOSED~~ ORDER**

1 will not be prepared to conduct a mandatory settlement conference until early April, 2011.

2 WHEREAS Plaintiff's attorney is unavailable due to previously-scheduled trials during
3 the second and third weeks of April (April 11-22).
4

5 WHEREAS the discovery cut-off is in May, 2011, and the last day to hold a mandatory
6 settlement conference, pursuant to the Court's scheduling order, is October 12, 2011.

7 THEREFORE, THE PARTIES HEREBY STIPULATE that the mandatory settlement
8 conference be continued until a convenient time for the Court during April, 2011, but not during
9 the second and third weeks of April (April 11-22).
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12 Dated: HOYER & ASSOCIATES

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14 _____
15 David C. Lipps
16 Attorney for Plaintiff
RUFUS CATCHINGS

17 Dated: U.S. DEPARTMENT OF JUSTICE

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19 _____
20 Melanie Proctor
21 Attorney for Defendant
KEN SALAZAR

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IT IS ORDERED that the mandatory settlement conference shall be continued until April, 2011, but not during the second and third weeks of April (April 11-22). The new mandatory settlement conference date shall be April 5, 2011 at 10:00 am.

Dated: October 14, 2010

IT IS SO ORDERED.



Chief Magistrate Judge
Maria-Elen James

1 will not be prepared to conduct a mandatory settlement conference until early April, 2011.

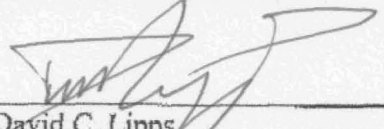
2 WHEREAS Plaintiff's attorney is unavailable due to previously-scheduled trials during
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8 the second and third weeks of April (April 11-22).

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12 Dated: 10/13/2010

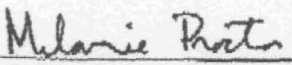
HOYER & ASSOCIATES



David C. Lipps
Attorney for Plaintiff
RUFUS CATCHINGS

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17 Dated: October 13, 2010

U.S. DEPARTMENT OF JUSTICE



Melanie Proctor
Attorney for Defendant
KEN SALAZAR