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15	UNITED STATES DISTRICT COURT		
16	NORTHERN DISTRICT OF CALIFORNIA		
17	RACHEL GUIDO, et al.,	Case No. C12-5578 JCS	
18	Plaintiffs,	JOINT CASE MANAGEMENT	
19	VS.		ENCE STATEMENT AND <del>ED</del> ] ORDER
20	CITY OF SOUTH SAN FRANCISCO POLICE	Date:	September 5, 2014 2:00 p.m. Courtroom G, 15 <sup>th</sup> Floor Magistrate Joseph C. Spero
21	DEPARTMENT, et al.,	Time: Dept.:	
22	Defendants.	Judge:	
23			
24	The parties in the above-entitled action jointly submit this Case Management Statement and		
25	request that the Court adopt it as its Case Management Order in this case.		
26			
	JOINT CASE MANAGEMENT CONFERENCE STATEMENT AND [PROPOSED] ORDER; Case No. C C12-5578 JCS		

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## Status of Settlement

On February 28, 2014, the parties appeared before Magistrate Judge Laurel Beeler for a settlement conference. With the able assistance of Magistrate Beeler, the parties reached a settlement. *See* February 28, 2014 Minute Order [Document 56].

Since that time, another suit was filed relating to the underlying incident – a suit filed by the decedent's great aunt, Dolores Piper. See *Piper v. Joshua Cabillo*, NDCA Case No. CV 14-2579. Defendant Officer Joshua Cabillo filed a motion to dismiss the *Piper* lawsuit [Document No. 9] and plaintiffs herein filed a motion to enforce the settlement reached in this case [Document No. 74]. Plaintiffs' motion is currently scheduled to be heard on September 19, 2014. Defendants filed opposition to plaintiffs' motion on the grounds that the settlement was contingent on a global settlement of all claims and that the Piper litigation needed to be resolved before the settlement with plaintiffs could be finalized.

On September 2, 2014, the Court dismissed the *Piper* lawsuit with prejudice [Document No. 14]. Judgment was entered in favor of Officer Cabillo in the *Piper* case on September 3, 2014 [Document No. 15].

In light of the dismissal of the *Piper* lawsuit, counsel for the parties herein has been in
contact to finalize the settlement. The parties fully expect the settlement to be completed and
dismissal entered within the next two weeks (prior to the hearing on plaintiffs' motion to enforce
the settlement).

The parties respectfully request that the Case Management Conference scheduled for
September 5, 2014 be continued 14 days to permit the filing of a request for dismissal in advance
of the September 19<sup>th</sup> hearing.

## HOWARD ROME MARTIN & RIDLEY LLP

Dated: September 3, 2014

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By: <u>/s/ Todd H. Master</u> Todd H. Master Attorneys for Defendants

JOINT CASE MANAGEMENT CONFERENCE STATEMENT AND [PROPOSED] ORDER; Case No. C C12-5578 JCS