

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

LAW OFFICES OF  
**WALKUP, MELODIA, KELLY & SCHOENBERGER**  
A PROFESSIONAL CORPORATION  
650 CALIFORNIA STREET, 26TH FLOOR  
SAN FRANCISCO, CALIFORNIA 94108-2615  
(415) 981-7210

KHALDOUN A. BAGHDADI (State Bar #190111)  
[kbaghdadi@walkuplawoffice.com](mailto:kbaghdadi@walkuplawoffice.com)  
DORIS CHENG (State Bar #197731)  
[dcheng@walkuplawoffice.com](mailto:dcheng@walkuplawoffice.com)  
ATTORNEYS FOR PLAINTIFF  
BENJAMIN K. TOSCANO

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BENJAMIN K. TOSCANO,  
  
Plaintiff,  
  
v.  
  
G. LEWIS, et al.,  
  
Defendants.

Case No. 3:12-cv-05893-EMC  
**NOTICE OF SETTLEMENT AND  
STIPULATED REQUEST TO VACATE  
TRIAL DATE; [PROPOSED] ORDER**  
  
Judge: Hon. Edward M. Chen  
Trial Date: May 1, 2017  
Action Filed: April 16, 2013

TO THE HONORABLE COURT:

The parties have reached a tentative settlement, and respectfully request that the Court vacate the trial date and all other pre-trial hearings in this matter.

The parties further request a Case Management Conference in 60 days to allow them time execute and finalize the settlement documents, and file a stipulated dismissal.

So stipulated:

Dated: March 8, 2017

WALKUP, MELODIA, KELLY & SCHOENBERGER

/s/ Khaldoun A. Baghdadi  
KHALDOUN A. BAGHDADI  
Attorney for Plaintiff

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: March 8, 2017

DEPUTY ATTORNEY GENERAL OF CALIFORNIA

/s/ Bryan Kao  
BRYAN KAO  
Attorney for Defendants G. Eberly and D. Thompson

**[PROPOSED] ORDER**

Having received notice of a settlement in this matter, the pre-trial conference and trial dates are hereby VACATED.

A further Case Management Conference is set for 4/27/17 at 10:30 a.m..  
An updated joint CMC statement shall be filed by 4/20/17.  
~~IT IS SO ORDERED.~~

Dated:

