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5 Attorneys for Defendant
CITY OF SAN LEANDRO

7 UNITED STATES DISTRICT COURT

8 NORTHERN DISTRICT OF CALIFORNIA

9 STEVEN MENGEL, et al

10 Plaintiffs,

11 v.

12 CITY OF SAN LEANDRO et al

13 Defendants.

Case No. 3:13-cv-02542-WHO

**STIPULATION FOR ORDER AND ORDER
TAKING MOTION TO DISMISS AND INITIAL
CASE MANAGEMENT CONFERENCE OFF
CALENDAR PENDING FILING OF
STIPULATION FOR ORDER OF DISMISSAL OF
ENTIRE ACTION WITH PREJUDICE BECAUSE
MATTER HAS SETTLED**

Hon. William H. Orrick

16 The parties acting by and through their attorneys stipulate for an Order as follows.

17 1. The parties have settled the entire action and are preparing the necessary settlement papers
18 to be executed by the parties including a Stipulation for Order of Dismissal Entire Action With Prejudice
19 Each Side To Bear Their Own Fees and Costs.

20 2. Defendant's Motion to Dismiss scheduled for hearing October 16, 2013 to be taken off
21 calendar pending filing of the Stipulation for Order of Dismissal.

22 3. The Initial Case Management Conference scheduled for hearing October 16, 2013 to be
23 taken off calendar pending filing of the Stipulation for Order of Dismissal.

24 4. Further status conference re Status of Filing Dismissal of Entire Action scheduled for
25 November 27, 2013. The parties believe the stipulation will be filed in the next several weeks.

26 So Stipulated:

1 Dated: September 23, 2013

Bruce W. Nickerson Attorney at Law

2
3 By: /s/ Bruce Nickerson
4 Bruce W. Nickerson Esq.
5 Attorneys for Plaintiffs

6 Dated: September 23, 2013

BERTRAND, FOX & ELLIOT

7
8 By: /s/ Gregory M. Fox
9 Gregory M. Fox
10 Attorneys for Defendants
11 CITY OF SAN LEANDRO et al

CERTIFICATE OF CONCURRENCE

12 I, Gregory M. Fox, declare:

13 Pursuant to Local Rule No. 5-1(i)(3) I have obtained the concurrence of Mr. Nickerson in the
14 filing of this document to show his signature as /s/ on this pleading, which shall serve in lieu of his
15 signature on the documents.

16 I declare under penalty of perjury under the laws of the State of California that the foregoing is
17 true and correct and that this declaration is executed at San Francisco, California, on September 23, 2013

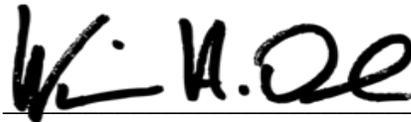
18
19 /s/ Gregory M. Fox
20 Gregory M. Fox, Esq.

1 **ORDER**

2 Good cause appearing the Stipulation of the parties is SO ORDERED.

3
4 The Case Management Conference and hearing on the Motion to Dismiss scheduled for
5 Wednesday October 16th, 2013 are both off calendar based on the settlement of the entire action. Further
6 status conference re Status of filing Dismissal of Entire Action with Prejudice is scheduled for Tuesday,
7 November 26, 2013.

8 Dated: September 23, 2013



9 _____
10 Honorable William H. Orrick
11 United States District Court Judge