

1 Michael W. Melendez (SBN 125895)
 Teri Mae Rutledge (SBN 261229)
 2 COZEN O'CONNOR
 101 Montgomery Street, Suite 1400
 3 San Francisco, CA 94104
 Tel: 415.644.0914
 4 Fax: 415.644.0978
 Email: mmelendez@cozen.com
 5 trutledge@cozen.com

6 Attorneys for Plaintiff
 JOHNDELL HENDERSON
 7

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 JOHNDELL HENDERSON,

12 Plaintiff,

13 v.

14 CAROLYN HERNANDEZ; W.L. MUNIZ, et al.
 15 ,

16 Defendants.

Case No.: 3:14-cv-01857-JST

**STIPULATION AND MOTION TO STAY
 CASE SCHEDULE DEADLINES / TO
 ORDER SETTLEMENT CONFERENCE**

**FED. R. CIV. PROC. 16(B)(4); L.R. 16-
 2(D); L.R. 7-1; L.R. 7-12**

Judge: Jon S. Tigar

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 18 Defendants C. Hernandez, W.L. Muniz, M. Hodges and J.D. Lozano, joined by Plaintiff
 19 Johndell Henderson (the "Parties") hereby stipulate and move for the following modifications of the
 20 Case Schedule pursuant to Federal Rule of Civil Procedure 16(b)(4) and Local Rule 16-2(d), for the
 21 reasons set forth below.

22 **I. CIRCUMSTANCES CONSTITUTING GOOD FAITH REASONS TO MODIFY**
 23 **CASE MANAGEMENT ORDER**

24 The Parties have both expressed interest in attempting to settle the claims in this action.
 25 They seek a stay to accommodate these efforts.¹ The Parties' first settlement conference occurred
 26 when the plaintiff was unrepresented.

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 28 ¹ Fact discovery is not quite complete. The final deposition in this matter, of Plaintiff, was not completed due to a
 mandatory inmate count at Salinas Valley State Prison while the deposition was in progress. Counsel for the

1 **II. PROPOSED STAY; REQUESTED SETTLEMENT CONFERENCE**

2 The Parties hereby stipulate, and respectfully request that the Court stay the case schedule.
3 The Parties further hereby request the Court set a Settlement Conference to assist the parties with
4 their efforts to negotiate and settle Mr. Henderson’s claims.

5 **III. IN THE ALTERNATIVE: PROPOSED CASE MODIFICATION**

6 In the alternative, if the Court denies the Parties’ request for a stay, the Parties seek an
7 approximately 60-day continuance² of case deadlines to allow them to negotiate and settle the case:

8 Event	Currently Scheduled Date	Proposed Modification
9 Close of Fact Discovery	July 31, 2019	September 30, 2019
10 Expert Disclosures and Opening Expert Reports Due	August 16, 2019	October 15, 2019
11 Rebuttal Expert Disclosures & Rebuttal Reports Due	September 13, 2019	November 12, 2019
12 Expert Discovery Cut-off	October 4, 2019	December 2, 2019
13 Summary-Judgment Deadline	October 25, 2019	January 13, 2019
14 Pretrial Conference Statement Due	January 24, 2020	April 1, 2020
15 Pretrial Conference	January 31, 2020 at 2:00 p.m.	April 17, 2020 (Friday) 2:00 p.m.
16 Trial	February 24, 2020 at 8:00 a.m.	May 4, 2020 (Monday) at 8:00 a.m.

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26 defendants has estimated three hours remain for further questioning. Should the case deadlines be continued rather than stayed, the fact discovery period should remain open for the purpose of completing this final deposition.

27 ² The Summary Judgment deadline is expanded approximately 80 days to account for the end-of-year holiday season.
28 All subsequent deadlines are extended approximately 70 days to better accommodate the schedule of defense counsel Nasstaran Ruhparwar, who has preplanned international travel from May 25, 2020, through June 8, 2020.

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Dated: August 7, 2019

COZEN O'CONNOR

By: /s/ Teri Mae Rutledge
Michael W. Melendez
Teri Mae Rutledge
Attorneys for Plaintiff
JOHNDELL HENDERSON

Dated: August 7, 2019

STATE OF CALIFORNIA, ATTORNEY
GENERAL'S OFFICE

By: /s/ Nasstaran Ruhparwar
Xavier Becerra
Attorney General of California
William C. Kwong
Supervising Deputy Attorney General
Jeffrey Fisher
Deputy Attorney General
Nasstaran Tara Ruhparwar
Deputy Attorney General
Attorneys for Defendants
C. HERNANDEZ; W.L. MUNIZ; M. HODGES;
and J.D. LOZANO

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ECF ATTESTATION

I, Teri Mae Rutledge, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Nasstaran Tara Ruhparwar has concurred in this filing.

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ORDER

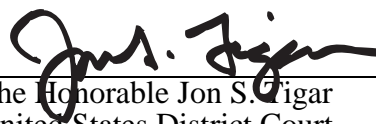
Pursuant to stipulation and good cause appearing therein, the deadlines in this case are stayed pending a Settlement Conference and further order of this Court.

Such Settlement Conference will take place within 120 days of the date this order is filed, or as soon thereafter as Magistrate Judge Illman’s calendar will permit. Magistrate Judge Illman will coordinate a time, place, and date for one or more settlement conferences with all interested parties or their representatives and, within fifteen days of the conclusion of all settlement proceedings, will file with the Court a report thereon.

The Clerk will send Magistrate Judge Illman a copy of this order.

IT IS SO ORDERED.

Dated: August 8, 2019



The Honorable Jon S. Qigar
United States District Court
Northern District of California

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PROOF OF SERVICE

I, the undersigned, declare that I am employed in the city of San Francisco, State of California. I am over the age of 18 years and not a party to the within cause; my business address is 101 Montgomery Street, Suite 1400, San Francisco, California.

On August 7, 2019, I served the following documents:

STIPULATION AND MOTION TO STAY CASE SCHEDULE DEADLINES / TO ORDER SETTLEMENT CONFERENCE

on the following interested party(ies) in the matter of Henderson v. Hernandez, et al., U.S.D.C. Northern California Case No. 3:14-cv-01857-JST:

SERVICE LIST

<p>Nasstaran Tara Ruhparwar Jeffrey Fisher Deputy Attorney General, Correctional Law Section Office of the Attorney General 455 Golden Gate Avenue, Suite 11000 San Francisco, CA 94102-7004</p>	<p>Counsel for Defendants, Carolyn Hernandez; W.L. Muniz, M. Hodges and Jared D. Lozano</p> <p>Tel: (415) 510-3567 Fax: (415) 703-5843 Email: Nasstaran.Ruhparwar@doj.ca.gov Jeffrey.Fisher@doj.ca.gov</p>
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By electronic service. Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on August 7, 2019 at San Francisco, California.


 Andrea Mackenzie