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15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN FRANCISCO DIVISION

19 RAUL BARAJAS and
 ELVA BARAJAS,
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 Plaintiffs,
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22 v.

23 CITY OF ROHNERT PARK, a municipal
 corporation; and JACY TATUM, DAVID
 RODRIQUEZ and MATTHEW SNODGRASS,
 24 officers with the City of Rohnert Park Police
 Department,
 25

26 Defendants.
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Case No. 3:14-cv-05157 MEJ

**STIPULATION AND ~~PROPOSED~~
 ORDER SEEKING STAY OF
 PROCEEDINGS PENDING
 DECISION FROM NINTH CIRCUIT
 COURT OF APPEALS REGARDING
 THE PARTIES' PETITIONS FOR
 APPEAL UNDER 28 U.S.C. § 1292(b)**

Complaint filed: November 21, 2014

1 Plaintiffs Raul Barajas and Elva Barajas (“Plaintiffs”) and Defendants City of Rohnert
2 Park, Jacy Tatum, David Rodriquez and Matthew Snodgrass (“Defendants”), through their
3 undersigned counsel, hereby stipulate as follows:

4 WHEREAS, on August 10, 2016, the Court entered the Order Re: Motion for Summary
5 Judgment and Sua Sponte Certifying Issues for Appeal (the “Order”);

6 WHEREAS, the Order sua sponte certified two issues for interlocutory appeal under 28
7 U.S.C. § 1292(b) and ordered the parties to meet and confer and within 30 days of the Order’s
8 issuance submit a proposal regarding whether the action should be stayed;

9 WHEREAS, the parties filed separate petitions seeking appellate review under § 1292(b)
10 of one or both issues certified by the district court;

11 WHEREAS, the parties have met and conferred and agree that a stay of the proceedings
12 before this Court pending resolution of the parties’ petitions by the Ninth Circuit Court of
13 Appeals, either through an order declining to accept certification of both issues or a ruling on the
14 appeal of one or both issues, is appropriate and would promote economy of time and effort;

15 WHEREAS, the parties shall promptly inform the Court if the Ninth Circuit declines to
16 accept certification of one or both certified issues; and

17 WHEREAS, Defendants and Plaintiffs propose the following: A stay of the proceedings
18 before this Court should be entered pending resolution of the parties’ petitions by the Ninth
19 Circuit Court of Appeals, either through an order declining to accept certification of both issues
20 or a ruling on the appeal of one or both issues.

21 THE PARTIES HEREBY STIPULATE, subject to the approval of the Court, that a stay
22 of the proceedings before this Court should be entered pending resolution of the parties’ petitions
23 by the Ninth Circuit Court of Appeals, either through an order declining to accept certification of
24 both issues or a ruling on the appeal of one or both issues.

25 **IT IS SO STIPULATED.**

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Dated: August 23, 2016

ARTURO J. GONZÁLEZ
CAITLIN SINCLAIRE BLYTHE
MORRISON & FOERSTER LLP

By: /s/ Arturo J. González
ARTURO J. GONZÁLEZ

Attorney for Raul Barajas and Elva Barajas

Dated: August 23, 2016

SCOTT LEWIS
DAVID F. BEACH
PERRY, JOHNSON, ANDERSON, MILLER &
MOSKOWITZ LLP

By: /s/ Scott Lewis
SCOTT LEWIS

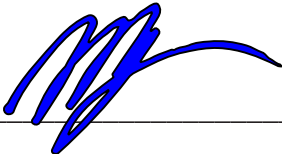
Attorney for City of Rohnert Park

FILER'S ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, Arturo J. González, hereby certify that I am the ECF user whose identification and password are being used to file the foregoing *Stipulation and [Proposed] Order Seeking Stay of Proceedings Pending Decision From Ninth Circuit Court of Appeals Regarding the Parties' Petitions for Appeal Under 28 U.S.C. § 1292(b)* and that the above-referenced signatory to this stipulation has conferred in this filing.

/s/ Arturo J. González

IT IS SO ORDERED.

Dated: August 24, _____, 2016 

Hon. Maria-Elena James

sf-3687450