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11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 JOELLE BURGESS, et al.,
 14 Plaintiffs,
 15 v.
 16 COUNTY OF MENDOCINO, et al.,
 17 Defendants.

Case No. 16-cv-02414-WHO

**JOINT STIPULATION TO RESCHEDULE
 SETTLEMENT CONFERENCE; [PROPOSED]
 ORDER**

18 TO THE HONORABLE LAUREL BEELER, SETTLEMENT MAGISTRATE:

19 This Joint Stipulation is submitted by all named parties in this action, including: (1) Plaintiffs
 20 Victoria Lee Dalbec, Jason Jay Havranek, Joelle Burgess, and Kara Marzan (collectively,
 21 “Plaintiffs”); (2) Defendants the County of Mendocino and Sheriff’s Deputy Kaitlyn Olson
 22 (collectively, “County Defendants”); and (3) Defendant California Forensic Medical Group, Inc.
 23 (“CFMG Defendant”).

24 By this Joint Stipulation, the parties request the Court to reschedule the settlement
 25 conference currently set in this matter for January 9, 2017, at 10:00 a.m., to one of the following
 26 dates provided by the Court’s Courtroom Deputy: (a) February 21, 2017, at 10:00 a.m.; or (b) March
 27 9, 2017, at 1:00 p.m. The parties submit that good cause supports this request, as set forth below.

RECITALS

28 A. Plaintiffs filed their complaint in this case on May 3, 2016, seeking damages related
 to the death of their mother, Gloria Burgess, who was a jail inmate held in the custody of the

1 Mendocino County Sheriff's Office. Plaintiffs' complaint avers causes of action based on 42 U.S.C.
2 § 1983, common law negligence, and California Government Code § 845.6, generally related to the
3 alleged deliberate indifference to the decedent's medical needs and interference with their familial
4 rights.

5 B. All named parties have answered the complaint, and the Court (the Honorable
6 William Orrick presiding) has set a trial date for March 26, 2018. No motions are pending at this
7 time. A further case management conference is set for February 7, 2017, at 2:00 p.m.

8 C. Pursuant to agreement of the parties, Judge Orrick assigned this case to Magistrate
9 Judge Beeler for purposes of settlement. On September 29, 2016, Magistrate Beeler issued a
10 "Notice and Order Regarding Settlement Conference" setting the settlement conference to occur on
11 January 31, 2017, at 10:00 a.m. (Dkt. No. 30).

12 D. On December 20, 2016, the parties received via ECF a Clerk's Notice which
13 informed them that Judge Beeler has a scheduling conflict on January 31st, and that the settlement
14 conference was advanced to January 9, 2017, at 10:00 a.m.

15 E. Unfortunately, counsel for County Defendants, Anne Keck, has informed all parties
16 that she is not available during the period December 29, 2016 through January 9, 2017, as she will
17 be out of the country on a pre-paid (and non-refundable) vacation until January 10, 2017. Ms. Keck
18 filed a Notice of Unavailability with respect to those dates on December 20, 2016 (Dkt. No. 33),
19 after receiving the Clerk's Notice. She has also consulted with the Magistrate Judge Beeler's
20 Courtroom Deputy with respect to alternate settlement conference dates currently available on the
21 Court's calendar, and has provided such information to counsel for all parties.

22 WHEREFORE, the parties to this stipulation hereby agree and request entry of an order as
23 follows:

24 **STIPULATION**

25 1. The parties request the Court to vacate the currently scheduled settlement conference
26 date of January 9, 2017, and to reschedule it to either of the following: (a) February 21, 2017, at
27 10:00 a.m.; or (b) March 9, 2017, at 1:00 p.m.

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[PROPOSED] ORDER

Pursuant to and in accordance with the foregoing Stipulation, and with good cause appearing,
IT IS HEREBY ORDERED as follows:

1. The settlement conference date of January 9, 2017, is hereby vacated, and the
settlement conference in this action shall be set for (check one):

- February 21, 2017, at 10:00 a.m.
- March 9, 2017, at ~~1:00 p.m.~~ a.m. 10:30 a.m.

2. All other matters set out in the Settlement Order issued on September 29, 2016 (Dkt.
No. 30) shall remain in effect.

IT IS SO ORDERED.

Date: December 22, 2016



HONORABLE LAUREL BEELER
United States Magistrate Judge