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 9 UNITED STATES DISTRICT COURT
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11
 12 KAZEEM UPSHAW,
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 14 Plaintiff,

Case No. C11-05044 DMR

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**NOTICE OF CONDITIONAL
 SETTLEMENT & [PROPOSED] ORDER**

v.

CITY OF OAKLAND, a municipal corporation;
 ANTHONY BATTS in his capacity as CHIEF of
 POLICE for CITY OF OAKLAND POLICE
 DEPARTMENT; JONATHAN MUNIZ,
 individually and in his official capacity as a
 Police Officer for the CITY OF OAKLAND;
 ERCIVAN MARTIN, individually and in his
 official capacity as a Police Officer for the CITY
 OF OAKLAND; JOSE PEREZNEGRON,
 individually and in his official capacity as a
 Police Officer for the CITY OF OAKLAND and
 RICHARDSON SANANDRES individually and
 in his official capacity as a Police Officer for the
 CITY OF OAKLAND.

Defendants.

1 The Parties, by and through their respective attorneys, hereby notify the court that this action
2 has been settled in its entirety, pending approval by the City Counsel. The Parties fully expect
3 approval by the Oakland City Counsel, and are in the process of fulfilling the terms of the Settlement
4 Agreement. Once the settlement terms have been fully executed by the Parties, the Parties will file a
5 Request for Dismissal with the Court.

6 In light of the foregoing, the Parties respectfully request that the currently scheduled Pre-Trial
7 and Trial dates be vacated and that a status conference be calendared to occur during the month of
8 December 2013 for the Parties to advise the court of the status of the settlement.
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12 **Dated: October 9, 2013**

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14 /s/
15 ADANTÉ D. POINTER
16 LAW OFFICES OF JOHN L. BURRIS
17 Attorneys for Plaintiff
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ORDER

IT IS HEREBY ORDERED that the Pre-Trial and Trial dates are vacated and a status conference set for December 4, 2013. The parties are further ordered to file a status update seven days before the December 4, 2013 status conference or a Request for Dismissal should the settlement have been fully executed.

IT IS SO ORDERED.

Date: Oct. 10, 2013

