

\*E-Filed: November 3, 2014\*

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSÉ DIVISION**

AMMIR UMAR,

Plaintiff,

vs.

CRAIG STORLIE, INDIVIDUALLY AND AS  
AN OFFICER OF THE SAN JOSE POLICE  
DEPARTMENT, AND DOES 1-20,  
INCLUSIVE,

Defendants.

NO. CV12-06071- HRL

**NOTICE OF SETTLEMENT AND  
JOINT STIPULATION AND ORDER**

**NOTICE OF SETTLEMENT AND JOINT STIPULATION**

Come now all the parties, by and through their respective attorneys of record and hereby give notice and stipulate as follows:

1. After extensive negotiations, the parties have reached a settlement of this entire lawsuit this morning. The settlement is subject to two contingencies. The settlement is contingent on the Court's approval of the settlement. Second, the settlement is contingent on approval by the City of San Jose City Council. The settlement will be presented at a publicly noticed Council meeting not earlier than November 18, 2014. No approval from anyone is required other than the City Council.

2. The parties request time to satisfy these conditions and settle the case. Specially, the parties request that the Court enter the proposed order filed concurrently

1 herewith. This order would give the parties 60 days within which to either file a request for  
2 dismissal of the entire action or file a status report regarding the progress of their effects.  
3 The order would also vacate all dates and take all pending matters off calendar. Good  
4 cause exists to enter this order because it will facilitate settlement, because no party would  
5 be prejudices, and because the parties agree. Fed.R.Civ.P. 16(b)(4) (the Court may  
6 modify a schedule for good cause); see also L.R. 16-15 ("It is the policy of the Court to  
7 encourage disposition of civil litigation by when such is in the nest interest of the parties.  
8 The Court favors any reasonable means to accomplish this goal. Neither in this rule shall  
9 be construed to the contrary.")

10  
11 IT IS SO STIPULATED.

12 RICHARD DOYLE, City Attorney

13  
14 DATED: November 3, 2014

15 By: /s/Shannon Smyth-Mendoza  
16 SHANNON SMYTH-MENDOZA  
17 Attorney for Defendant

18 MORALES & LEANOS

19 DATED: November 3, 2014

20 By: /s/Jaime A. Leanos  
21 JAIME A. LEAÑOS  
22 Attorneys for Plaintiff

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1 I affirm that Plaintiff's counsel has consented to the electronic filing of this document  
2 on Plaintiff's behalf.

3  
4 RICHARD DOYLE, City Attorney

5  
6 DATED: November 3, 2014

7 By: /s/ Shannon Smyth-Mendoza  
8 SHANNON SMYTH-MENDOZA  
9 Attorney for Defendant

10 **ORDER**

11 The Court having been notified that this case has settled, all pending motions,  
12 hearings, and deadlines are terminated.

13 All parties shall appear on **January 13, 2015, at 10:00 a.m.** in Courtroom 2, Fifth Floor,  
14 280 South First St., San Jose CA 95113 and show cause, if any, why this case should not be  
15 dismissed. The parties shall file a Joint Statement in response to this Order to Show Cause  
16 no later than **January 6, 2015**. The joint statement shall state (1) the status of the activities of  
17 the parties in finalizing settlement; and (2) how much additional time, if any, is needed to  
18 finalize the settlement and file a dismissal. If, however, a dismissal is filed before the hearing  
19 date, the Show Cause hearing will be automatically vacated and no statement will be  
20 required.  
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22  
23 IT IS SO ORDERED.

24  
25 Dated: November 3, 2014



26 HONORABLE HOWARD R. LLOYD  
27 UNITED STATES MAGISTRATE JUDGE  
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