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*Attorneys for Defendants*  
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 P. SULLIVAN

10 **UNITED STATES DISTRICT COURT**  
 11 **NORTHERN DISTRICT OF CALIFORNIA**  
 12 **SAN JOSE DIVISION**

14 ENRIQUE DIAZ,  
 15 Plaintiff,  
 16 v.  
 17 R.A. KESSLER, et al.,  
 18 Defendants.

NO. 5:14-cv-02145-EJD

**STIPULATION AND ~~PROPOSED~~ ORDER  
 CONTINUING CASE MANAGEMENT  
 CONFERENCE**

Current Deadline: December 14, 2017  
 Requested Deadline: December 21, 2017

**HON. EDWARD J. DAVILA**

1 Plaintiff Enrique Diaz (“Diaz”) and Defendants A. Tankersley, S. Nunez, R.A. Kessler, and P.  
2 Sullivan (“Defendants”) jointly submit this stipulation and proposed order continuing the Case  
3 Management Conference, currently scheduled for December 14, 2017 at 10:00 a.m., to December 21,  
4 2017 at 10:00 a.m. or a date thereafter that is convenient for the Court.

5 WHEREAS, a Case Management Conference is currently scheduled for December 14, 2017;  
6 and

7 WHEREAS, the parties are attempting to negotiate a settlement; and

8 WHEREAS, it would be more efficient for the parties and the Court to continue the Case  
9 Management Conference to allow the parties to resolve the case outside of Court.

10 NOW, THEREFORE, Plaintiff and Defendants, by and through their respective counsel,  
11 hereby stipulate to, and request that the Court approve, the following:

12 1. The Case Management Conference shall be continued from December 14, 2017 at 10:00  
13 a.m. to December 21, 2017 at 10:00 a.m., or a date thereafter that is convenient for the Court. A Joint  
14 Case Management Conference Statement shall be filed no later than December 14, 2017.

15  
16 Respectfully Submitted,

17 Dated: December 6, 2017

GIBSON DUNN & CRUTCHER LLP

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19  
20 By: /s/ JESSICA L. WRIGHT  
JESSICA L. WRIGHT

21  
22 *Attorneys for Plaintiff Enrique Diaz*

23 Dated: December 6, 2017

WILLIAM P. BURANICH  
Deputy Attorney General

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26 By: /s/ WILLIAM P. BURANICH  
WILLIAM P. BURANICH

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28 *Attorneys for Defendants A. Tankersley, S. Nunez, R.A.  
Kessler, and P. Sullivan*

**ATTORNEY ATTESTATION**

Pursuant to Civil Local Rule 5-1, I, Jessica L. Wright, hereby attest that concurrence in the filing of this document has been obtained from William P. Buranich.

DATED: December 6, 2017

By: /s/ JESSICA L. WRIGHT  
JESSICA L. WRIGHT

1 [PROPOSED] ORDER

2  
3 Based on the foregoing stipulation and good cause being shown, the Court hereby GRANTS  
4 the parties' Stipulation. The Court hereby orders as follows:

- 5 1. The Case Management Conference is continued from December 14, 2017 at 10:00 a.m.  
6 to December 21, 2017 at 10:00 a.m. A Joint Case Management Conference Statement  
7 shall be filed no later than December 14, 2017.

8  
9 PURSUANT TO STIPULATION, IT IS SO ORDERED this 6 day of  
10 December, 2017.

11  
12 

13 Honorable Edward J. Davila  
14 United States District Court Judge