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Attorneys for Defendants
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 P. SULLIVAN

16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
 18 **SAN JOSE DIVISION**

19 ENRIQUE DIAZ,
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 21 Plaintiff,
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 23 v.
 24 R.A. KESSLER, et al.,
 25
 26 Defendants.

NO. 5:14-cv-02145-EJD
**STIPULATION AND ~~PROPOSED~~ ORDER
 CONTINUING CASE MANAGEMENT
 CONFERENCE**

Current Deadline: December 21, 2017
 Requested Deadline: January 11, 2018

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 21, 2017 at 10:00 a.m., to
4 January 11, 2018 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 21, 2017;

6 WHEREAS, Plaintiff and Defendants notified this court on December 6, 2017 that they were
7 attempting to negotiate a settlement (Dkt. 80);

8 WHEREAS, the Court granted a stipulation extending the Case Management Conference
9 deadlines on December 6, 2017 (Dkt. 81);

10 WHEREAS, Plaintiff and Defendants have reached an agreement in principle to settle the
11 above-captioned matter; and

12 WHEREAS, Plaintiff and Defendants have exchanged a draft settlement agreement and are
13 working to finalize their settlement in principle; and

14 WHEREAS, Plaintiff and Defendants have agreed to extend the deadline for the Case
15 Management Conference, in the interests of efficiency and to facilitate documentation of the
16 settlement.

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

19 1. The Case Management Conference shall be continued from December 21, 2017 at
20 10:00 a.m. to January 11, 2018 at 10:00 a.m., or a date thereafter that is convenient for the Court. A
21 Joint Case Management Conference Statement shall be filed no later than January 4, 2018.

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23 Respectfully Submitted,

24 Dated: December 13, 2017

GIBSON DUNN & CRUTCHER LLP

25
26 By: /s/ JESSICA L. WRIGHT
27 JESSICA L. WRIGHT

28 *Attorneys for Plaintiff Enrique Diaz*

1 Dated: December 13, 2017

WILLIAM P. BURANICH
Deputy Attorney General

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3
4 By: /s/ WILLIAM P. BURANICH
WILLIAM P. BURANICH

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

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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 13, 2017

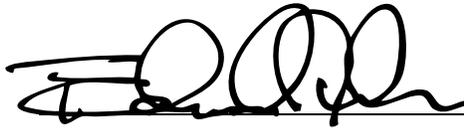
By: /s/ JESSICA L. WRIGHT
JESSICA L. WRIGHT

1 [PROPOSED] ORDER

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

- 4 1. The Case Management Conference is continued from December 21, 2017 at 10:00 a.m.
5 to January 11, 2018 at 10:00 a.m. A Joint Case Management Conference Statement
6 shall be filed no later than January 4, 2018.
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8 **PURSUANT TO STIPULATION, IT IS SO ORDERED** this 14 day of
9 December, 2017.
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12 Honorable Edward J. Davila
13 United States District Court Judge
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