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23 Attorneys for Plaintiffs

24
25 UNITED STATES DISTRICT COURT
26
27 EASTERN DISTRICT OF CALIFORNIA

28 JOYCE JEREMIAH, BETTY LANE,
1 PAULINE FLACK, SARAH JUAREZ, BETH
2 MARTIN, ROBERT McMULLEN II, RIA
3 HAGAN, ANDREW BLACKBURN,
4 MICHAEL ROSE, BARTON SHAFER,

5 Plaintiffs,

6 v.

7 SUTTER COUNTY, CITY OF YUBA CITY,
8 Defendants.

9 Case No. 2:18-cv-00522-TLN-KJN

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**STIPULATION AND JOINT MOTION
FOR STAY OF DISCOVERY TO MAY 6,
2019 IN ORDER TO DISCUSS
SETTLEMENT AND ORDER THEREON**

Judge: Hon. Hon. Troy L. Nunley

Magistrate Judge: Hon. Kendall J. Newman

No Trial Date Scheduled

This stipulation is submitted by Plaintiffs and Defendants, through their respective counsel of record.

The parties respectfully submit this stipulation to modify the case scheduling order and stay

1 non-expert discovery from the date this joint motion is approved through **May 6, 2019** so that
2 Plaintiffs and Defendant City of Yuba City can discuss settlement. Discovery is currently
3 scheduled to close on **April 1, 2019**. If Plaintiffs and the City of Yuba City do not reach a
4 settlement by May 6, 2019, non-expert discovery will recommence on **May 7, 2019** and close on
5 **June 6, 2019**. Since no trial has been scheduled, this request will not affect the Court's calendar.

6 Plaintiffs and Defendant Sutter County have reached a resolution of the claims against the
7 County, and are in the process of finalizing that settlement in order to seek dismissal of the claims
8 against the County. If Plaintiffs and City of Yuba City can also resolve the claims against the City
9 of Yuba City through negotiation during this proposed stay of discovery, the entire case can be
10 voluntarily dismissed.

11 This stipulated request is made pursuant to Rule 16 of the Federal Rules of Civil Procedure
12 for good cause. Plaintiffs have diligently pursued both written discovery and depositions, and have
13 taken six depositions and noticed three more depositions. Defendant City of Yuba City has
14 diligently pursued written discovery, has taken one deposition, and has noticed the depositions of
15 the ten Plaintiffs.¹ There are currently eleven depositions on calendar in this matter – three to be
16 taken by Plaintiffs and eight to be taken by Defendant City of Yuba City. All noticed depositions
17 are currently scheduled to take place before the close of discovery on April 1, 2019. The remaining
18 eleven depositions are scheduled to start on **Tuesday, March 19, 2019** and go through **March 29,**
19 **2019.**

20 Because Plaintiffs and the City of Yuba City wish to fully explore the possibility of
21 resolving this matter, they seek a stay so that all parties can avoid the time and expense of the
22 remaining eleven depositions while they pursue settlement. The parties jointly seek a stay of
23 discovery through May 6, 2019 in order to allow sufficient time for the matter to be discussed by
24 the City of Yuba City Council at their regularly scheduled meetings. The extension of time will not
25 affect the Court's calendar since trial has not been scheduled. The case schedule has been modified
26

27 _____
28 ¹ Plaintiffs' counsel filed motions for leave to withdraw from representing two of the ten Plaintiffs
due to their failure to communicate with Plaintiffs' counsel. See Doc 35 & 36. Those motions are
pending.

1 twice: first, to extend the discovery deadline to February 16, 2019 (*see* Doc. 30), and then to extend
2 discovery to April 1, 2019 (*see* Doc. 34).

3 For the reasons stated above, the Parties believe that the good cause standard of Rule 16(b)
4 is met and hereby stipulate as follows:

5 1. Discovery is stayed upon Order of the Court through May 6, 2019 so that Plaintiffs and
6 the City of Yuba City may discuss settlement;

7 2. If Plaintiffs and the City of Yuba City do not reach a settlement by May 6, 2019,
8 discovery will recommence on May 7, 2019 and close on June 6, 2019.

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11 **IT IS SO STIPULATED:**

12 Dated: March 13, 2019

**CALIFORNIA RURAL LEGAL ASSISTANCE, INC.
SHEPPARD, MULLIN, RICHTER & HAMPTON LLP**

14 By: /s/ Laura Clauson Ferree
15 Laura Clauson Ferree
16 Attorney for Plaintiffs

17 Dated: March 13, 2019

PORTER SCOTT

18 By: /s/ John R. Whitefleet (as authorized on 03/14/19)
19 John R. Whitefleet
20 Attorney for Sutter County

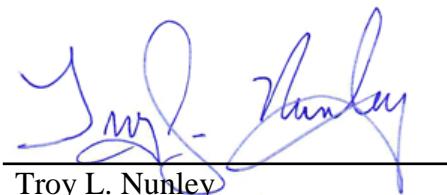
21 Dated: March 13, 2019

BEST BEST & KRIEGER LLP

23 By: /s/ Jeffrey V. Dunn (as authorized on 03/13/19)
24 Jeffrey V. Dunn
25 Attorney for City of Yuba City

1 **IT IS SO ORDERED:**

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3 Dated: March 18, 2019

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6 Troy L. Nunley
7 United States District Judge
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