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7

8
9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**

11 DANNY GUTIERREZ,) 1:09-cv-01571-MJS
12)
13 Plaintiff,) **STIPULATION AND ORDER TO VACATE**
14) **SETTLEMENT CONFERENCE AND SET**
15 vs.) **FURTHER STATUS CONFERENCE**
16) **STATUS CONFERENCE 10:00 AM**
17) **MARCH 30, 2012**
18 UNITED STATES OF AMERICA,)
19 ALFREDO SALGADO AND DOES 1)
20 THROUGH 30,)
21)
22 Defendants.)
23)
24)
25)
26)
27)
28)

20 The parties to this action hereby stipulate and request that
21 the Court enter an order (1) vacating the settlement conference
22 set for March 22, 2012, and (2) setting a further status
23 conference with the Court, preferably during the week of March
24 26. The parties agree that this case is amenable to resolution
25 by settlement but that due to delays in receiving necessary
26 information from third parties, the case will not be ready for
27 settlement conference by the scheduled date. The parties also
28

1 request an opportunity to discuss with the Court adjustments to
2 the remaining case schedule.

3 RESPECTFULLY SUBMITTED,

4 Dated: March 15, 2012

BENJAMIN B. WAGNER
United States Attorney

6 By: /s/ Benjamin E. Hall
7 BENJAMIN E. HALL
8 Assistant U.S. Attorney
Attorneys for Defendant
United States of America

9 Dated: March 15, 2012

LAW OFFICES OF
PAUL M. SMITH, II

10 [Authorized 3/15/12]

11 By: /s/ Paul M. Smith, II
12 PAUL M. SMITH, II
13 Attorneys for Plaintiff

14 **ORDER**

15 IT IS HEREBY ORDERED that the settlement conference
16 scheduled for March 22, 2012, is vacated.

17 IT IS FURTHER ORDERED that a further status conference be
18 held in this matter **March 30, 2012, at 10:00 a.m.** in Courtroom 6,
19 Fresno.

20
21 IT IS SO ORDERED.

22 Dated: March 16, 2012

/s/ Michael J. Seng
23 UNITED STATES MAGISTRATE JUDGE