

1 KAMALA D. HARRIS, State Bar No. 146672  
Attorney General of California  
2 SCOTT H. WYCKOFF, State Bar No. 191367  
Supervising Deputy Attorney General  
3 MATTHEW T. BESMER, State Bar No. 269138  
Deputy Attorney General  
4 2550 Mariposa Mall, Room 5090  
Fresno, CA 93721  
5 Telephone: (559) 477-1680  
Fax: (559) 445-5106  
6 E-mail: Matthew.Besmer@doj.ca.gov  
*Attorneys for Defendants Department of Corrections*  
7 *and Rehabilitation and Sydney Smyth*

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
10 FRESNO DIVISION

12 **IRMA B. SANCHEZ,**  
13  
14 Plaintiff,  
15  
16 **STATE OF CALIFORNIA, SYDNEY**  
**SMYTH, and DOES 1 THROUGH 15, in**  
17 **their individual capacities,**  
18 Defendants.  
19

1:12-cv-01835-AWI-SAB  
**STIPULATION TO VACATE AND RESET SETTLEMENT CONFERENCE**  
Date: May 15, 2014  
Time: 10:00 a.m.  
Courtroom: 7  
Judge: Honorable Sheila K. Oberto  
Trial Date: January 26, 2015  
Action Filed: November 8, 2012

21 **STIPULATION**

22 Plaintiff and Defendants have exchanged offers in preparation for the Settlement  
23 Conference scheduled for May 15, 2014, at 10:00 a.m.;

24 They have discussed the settlement figures and believe that they are so far apart that a  
25 settlement conference would be futile at this time;

26 The scheduling order issued by the Court (Doc. 22) directed that “[a]s far in advance of the  
27 settlement conference as possible, a party shall inform the Court and other parties that it believes the  
28 case is not in a settlement posture so the Court may vacate or reset the settlement conference.”

1 The parties agree that this case is not in a settlement posture and should be vacated and reset  
2 to preserve judicial resources.

3 NOW THEREFORE, by and through their respective counsel, the parties agree as  
4 follows:

5 1. The Court may vacate the Settlement Conference scheduled for May 15, 2014, at  
6 10:00 a.m., and reschedule the settlement conference for September 4, 2014, at 10:00 a.m. in  
7 Courtroom 7.

8  
9 SO STIPULATED:

10  
11 Dated: May 7, 2014

Respectfully submitted,

12 KAMALA D. HARRIS  
13 Attorney General of California  
14 SCOTT H. WYCKOFF  
15 Supervising Deputy Attorney General

*/s/ Matthew T. Besmer*

16 MATTHEW T. BESMER  
17 Deputy Attorney General  
18 *Attorneys for Defendants*  
19 *Department of Corrections and*  
20 *Rehabilitation and Sydney Smyth*

21  
22 Dated: May 7, 2014

PRICE AND ASSOCIATES  
A Professional Law Corporation

*/s/ Pamela Y. Price*

23  
24 \_\_\_\_\_  
25 PAMELA Y. PRICE  
26 *Attorneys for Plaintiff*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

The Court having reviewed the foregoing Stipulation, and good cause appearing therefore:

IT IS HEREBY ORDERED that

1. The Court vacates the Settlement Conference scheduled for May 15, 2014, at 10:00 a.m., and reschedules the conference for September 4, 2014, at 10:00 in Court Room 7.

IT IS SO ORDERED.

Dated: May 8, 2014

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE