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Attorneys for Plaintiff
Christina Pauline Lopez

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ISIAH MURRIETTA-GOLDING,
Deceased, THROUGH HIS SUCCESSOR
IN INTEREST CHRISTINA PAULINE
LOPEZ; and CHRISTINA PAULINE
LOPEZ, Individually, et al.

Plaintiffs,

vs.

CITY OF FRESNO, a public entity, CITY
OF FRESNO POLICE CHIEF JERRY
DYER, SERGEANT RAY VILLALVAZO,
individually, and DOES 3 through 10,
Jointly and Severally,

Defendants.

No: 1:18-cv-00314-AWI-SKO

**STIPULATION AND [PROPOSED]
ORDER SHORTENING TIME FOR (1)
PLAINTIFF LOPEZ'S MOTION TO
CERTIFY APPEAL AS FRIVOLOUS AND
(2) DEFENDANTS' MOTION TO STAY
PROCEEDINGS PENDING
RESOLUTION OF INTERLOCUTORY
APPEAL**

Honorable Judge Anthony W. Ishii

1 All parties, by and through their counsel of record, hereby stipulate to the following:

2 1. On October 15, 2020, this Court denied Defendants' motion for summary judgment where
3 Defendant Sergeant Ray Villalvazo asserted qualified immunity. (Doc. 77). On October 20, 2020,
4 Defendants filed a Notice of Appeal challenging the Court's ruling denying qualified immunity to Sgt.
5 Villalvazo.

6 2. A settlement conference with Judge Oberto is scheduled for January 21, 2021. The pretrial
7 conference is scheduled for February 3, 2021. Trial is scheduled for March 30, 2021.

8 3. Plaintiff Lopez intends to file a motion to certify Defendants' interlocutory appeal as
9 frivolous based on the Court's findings of factual disputes. Defendants will be opposing this motion.
10 Defendants intend to file a motion to stay the remaining proceedings that are not the subject of the appeal
11 pending the resolution of the interlocutory appeal. Plaintiff Lopez will be opposing this motion.
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13 4. The parties believe it is in the best interest of all involved to have these motions decided on
14 the following shortened briefing schedule:

- 15 • Both motions filed by: November 12, 2020
- 16 • Oppositions due by: November 20, 2020
- 17 • Replies due by: November 24, 2020
- 18 • The parties defer to the Court as to whether a hearing is needed.
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20 5. Good cause exists to shorten the briefing schedule to allow for a swift resolution of these
21 issues prior to the upcoming pre-trial deadlines in early 2021.
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1 IT IS SO STIPULATED.

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3 DATED: November 11, 2020

HADDAD & SHERWIN LLP

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5 /s/ Michael J. Haddad

6 MICHAEL J. HADDAD
7 Attorneys for Plaintiff Lopez

8 DATED: November 11, 2020

MANNING & KASS ELLROD, RAMIREZ,
9 TRESTER LLP

10 /s/ Scott Wm. Davenport

11 SCOTT WM. DAVENPORT
12 Attorney for Defendants

13
14 **ORDER**

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17 IT IS SO ORDERED.

18 Dated: November 12, 2020

19 
20 SENIOR DISTRICT JUDGE