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CENTRAL DISTRICT OF CALIFORNIA
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CLERK, U.S. DISTRICT COURT
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9 **UNITED STATES DISTRICT COURT**
CENTRAL DISTRICT OF CALIFORNIA

11 AUGUSTA MILLENDER, BRENDA
12 MILLENDER, WILLIAM JOHNSON,

13 Plaintiffs,

14 vs.

15 COUNTY OF LOS ANGELES; et. al.,

16 Defendants.

Case No. CV 05-2298 DDP
(RZx)

STIPULATION AND
[PROPOSED] ORDER TO
CONTINUE SETTLEMENT
CONFERENCE

17
18 The parties by and through their respective counsel hereby stipulate to continue the
19 settlement conference set for Thursday, October 26.

20 In order to have a productive settlement conference, the parties originally sought
21 to have it occur after the hearing on the parties' cross motions for summary
22 judgment/adjudication. That hearing was supposed to have been Monday, October 23.
23 However, last Thursday, Judge Pregerson continued the summary judgment hearing until
24 November 13.

25 Defendants have indicated that they are unable to make any kind of settlement offer
26 until they receive a ruling on the summary judgment motions.

27 Further, it is terribly difficult for plaintiffs to come to court, especially for Mrs.
28 Millender. Mrs. Millender suffers from high blood pressure and is concerned about the

[Signature]


1 conference causing her undue stress. Further, because of the pins in her femur, she has
2 a lot of trouble getting around, and will most likely have to come to court in a wheelchair.
3 Further, Brenda will have to take the day off from work and William will have to take the
4 day off from work and school. If defendants will not be able to participate in a meaningful
5 settlement conference until after the Court rules on the motions, plaintiffs prefer to wait
6 until that time for the conference. It will be better for them to not have to come to court
7 twice.

8 The Court has also continued the Pretrial Conference to January 29 and the Trial
9 to February 27, 2007, giving the parties additional time to complete the settlement
10 conference process.

11 The parties suggest a continuance of the settlement conference to one of the
12 following dates: November 27, November 30 or December 4. Having the conference at
13 this time will give the Court the opportunity to rule on the motions and will give the
14 parties the opportunity to discuss settlement again before the conference.

15 DATED: October 24, 2006

16 **ROBERT MANN**
17 **DONALD W. COOK**
Attorneys for Plaintiffs

18
19 By 
20 Robert Mann

21 DATED: October 24, 2006

22 **MANNING & MARDER KASS ELLROD, RAMIREZ LLP**
23 Attorneys for Defendants

24 By 
25 L. Trevor Grimm

26
27
28

1 GOOD CAUSE APPEARING

2 The settlement conference is hereby continued to 12/14/06 1:30 p.m. *The*
3 *parties shall file updated settlement reports one week*
submit earlier.

4 IT IS SO ORDERED

5 DATED: 10/25/06

Ralph Zarefsky
Honorable Ralph Zarefsky
U.S. Magistrate Judge

SCANNED

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PROOF OF SERVICE BY MAIL

I am a resident of the county of Los Angeles; I am over the age of 18 and not a party to the within action; my business address is 3435 Wilshire Blvd., Suite 2900, Los Angeles, CA 90010.

On October 24, 2006, I served the within **STIPULATION AND [PROPOSED] ORDER TO CONTINUE SETTLEMENT CONFERENCE** on the interested parties herein by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Eugene P. Ramirez
L. Trevor Grimm
Manning & Marder
Kass, Ellrod, Ramirez LLP
801 S. Figueroa Street, 14th Floor
Los Angeles, CA 90017
(213) 624-6900 telephone
(213) 624-6999 facsimile

- BY MAIL** -- As follows: I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business.
- BY PERSONAL DELIVERY** -- () I delivered such envelope by hand, or () I caused such envelope to be delivered by hand, via messenger service, to the offices of the addressee with delivery time prior to 5:00 p.m. on the date specified above.
- BY FEDERAL EXPRESS/UPS** -- I caused such envelope to be delivered by air courier, with next day service.
- BY FACSIMILE** -- By facsimile transmission, in accordance with Code of Civil Procedure §1013(e), to the below party(ies) at the number(s)

I declare under penalty of perjury that the above is true and correct.

Executed on October 24, 2006, at Los Angeles, California.



Carol Tokeshi