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9  
 10 **IN THE UNITED STATES DISTRICT COURT**  
 11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

|                               |   |                              |
|-------------------------------|---|------------------------------|
|                               | ) |                              |
| UNITED STATES POSTAL SERVICE, | ) | Case No. 16-cv-4815-WHA      |
|                               | ) |                              |
| Plaintiff,                    | ) |                              |
|                               | ) |                              |
| v.                            | ) |                              |
|                               | ) |                              |
| CITY OF BERKELEY              | ) |                              |
|                               | ) |                              |
| Defendant.                    | ) |                              |
|                               | ) |                              |
|                               | ) | <b>STIPULATED REQUEST</b>    |
|                               | ) | <b>TO RESCHEDULE</b>         |
|                               | ) | <b>SETTLEMENT CONFERENCE</b> |
|                               | ) |                              |

22 Pursuant to Civil Local Rules 6-2 and 7-12, the Plaintiff respectfully submits this  
 23 stipulated request to reschedule the Settlement Conference set for Friday, March 3, 2017 to  
 24 March 2, 2017, or another Thursday convenient for the Court.

25 **RECITALS**

26 1. On December 28, 2016 the Court set a Settlement Conference for Friday, March 3,  
 27 2017. *See* ECF No. 38 at 1.  
 28

1           2. To accommodate a senior Postal Service official who would like to attend the  
2 Settlement Conference, the Plaintiff respectfully requests that the Settlement Conference be  
3 rescheduled to Thursday, March 2, 2017, or another Thursday convenient for the Court.

4           3. The Defendant consents to the relief requested herein.

5           4. Pursuant to prior stipulated requests by the parties, the Court previously has extended  
6 the briefing schedule for the Defendant's Motion to Dismiss in this matter, *see* ECF No. 15, and  
7 has continued the Case Management Conference to coincide with the hearing on the Defendant's  
8 Motion to Dismiss, *see* ECF No. 19.

9           5. The relief requested herein would affect the deadlines set forth in the  
10 Notice of Settlement Conference and Settlement Conference Order, ECF No. 38, which requires  
11 the parties to meet and confer 14 calendar days before the Settlement Conference; and to submit  
12 Exchanged Settlement Conference Statements and Confidential Settlement Letters 10 calendar  
13 days before the Settlement Conference. No other deadlines on the calendar for this matter would  
14 be affected by the instant request.

15                                                           **STIPULATION**

16           Pursuant to Local Rule 6-2, the parties hereby stipulate to request that the Settlement  
17 Conference set for Friday, March 3, 2017 be rescheduled to Thursday, March 2, 2017, or another  
18 Thursday convenient for the Court.

19  
20           Dated: January 3, 2017

21                                                   Respectfully submitted,

22  
23                                                           */s/ Zach Cowan*  
24                                                           ZACH COWAN  
25                                                           City Attorney (SBN 96372)  
26                                                           SAVITH IYENGAR  
27                                                           Deputy City Attorney (SBN 268342)  
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\*Pursuant to Local Civil Rule 5-1(i)(3), I, Julia Berman, attest that I obtained the concurrence of Zach Cowan in the filing of this document.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: January 3, 2017

/s/ Julia Berman  
JULIA A. BERMAN, Bar No. 241415  
Trial Attorney