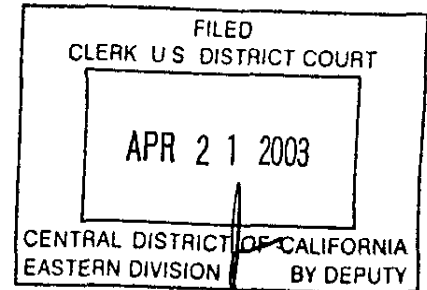


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22 UNITED STATES DISTRICT COURT
23 CENTRAL DISTRICT OF CALIFORNIA - EASTERN DIVISION

24 COMITE DE JORNALEROS DE
25 RANCHO CUCAMONGA Y UPLAND,
26 an unincorporated association,
27 NATIONAL DAY LABORER
28 ORGANIZING NETWORK, an
unincorporated association,

Plaintiffs,

v

CITY OF RANCHO CUCAMONGA,
CITY OF UPLAND,

Defendants.

Case No EDCV 02-1010 VAP (SG)

**STIPULATION AND
(PROPOSED) ORDER
VACATING LITIGATION
SCHEDULE AND STAYING
ACTION PENDING
FINALIZATION OF
SETTLEMENT AGREEMENT**

ENTER ON ICMS

APR 22 2003

The parties, having agreed in principle to settlement terms, stipulate that the current litigation schedule should be vacated and the action stayed pending the finalization of the settlement agreement

///

STIPULATION AND (PROPOSED) ORDER VACATING LITIGATION SCHEDULE AND STAYING ACTION
PENDING FINALIZATION OF SETTLEMENT AGREEMENT

1 GOOD CAUSE exists for such an order. Plaintiffs are challenging City of
2 Upland and City of Rancho Cucamonga ordinances on First and Fourteenth
3 Amendment grounds. Plaintiffs and Defendants have agreed in principle to settle
4 this matter, but the settlement agreement is unique and several points have to be
5 worked out before the settlement agreement can be finalized. For example,
6 Defendants have agreed in principle to develop written training guidelines for
7 enforcement of the ordinances and that Plaintiffs may participate in drafting these
8 materials. As such, the specific content of these materials will have to be drafted
9 and agreed upon before the settlement is finalized and this will take time. Several
10 other agreements have also been reached, the specifics of which have to be worked
11 out. However, if the current discovery cut-off, motion cut-off and trial date, etc.,
12 are not vacated and the case not stayed, the parties would have to continue to
13 conduct discovery and litigate this matter, even though a settlement in principle
14 has been reached. This would be a waste of time and judicial resources.

15 Therefore, the parties respectfully request that the Court vacate the current
16 litigation schedule, including the May 2, 2003 Settlement Conference, and stay the
17 case for 120 days, pending finalization of the settlement agreement. At the close
18 of the 120-day period, if not before, it is anticipated that the case will be
19 dismissed.

20 ///

21 ///

22 ///

1 IT IS SO STIPULATED.

2 DATED. April __, 2003

ROCHELLE BROWNE
MICHAEL P. COYNE
RICHARDS, WATSON & GERSHON
A Professional Corporation

JAMES L. MARKMAN
CITY ATTORNEY
CITY OF RANCHO CUCAMONGA
and CITY OF UPLAND

7 By: _____
8 MICHAEL P. COYNE
9 Attorney for Defendants
10 CITY OF RANCHO CUCAMONGA,
CITY OF UPLAND

11 DATED: April 18, 2003

THOMAS A. SAENZ
MEXICAN AMERICAN LEGAL
DEFENSE AND EDUCATIONAL
FUND

14 By: Thomas A. Saenz
15 THOMAS A. SAENZ
16 Attorney for Plaintiffs
17 COMITE DE JORNALEROS DE
18 RANCHO CUCAMONGA Y
UPLAND, NATIONAL DAY
LABORER ORGANIZING
NETWORK

19 **[PROPOSED] ORDER**

20 **FOR GOOD CAUSE SHOWN:**

21 The current litigation schedule, including the Discovery, Motion and
22 Settlement Conference cut-offs, as well as the Settlement Conference, Pre-trial
23 Conference and Trial dates, are vacated and the case is stayed for 120 days from
24 the date of this order. Within 120 days, the parties are to either file a notice of
25 dismissal, or request that the litigation schedule be reset.

26 4/21/03

27 Virginia A. Phillips
28 Hon. Virginia A. Phillips,
United States District Judge

-3-

STIPULATION AND [PROPOSED] ORDER VACATING LITIGATION SCHEDULE AND STAYING ACTION
PENDING FINALIZATION OF SETTLEMENT AGREEMENT

TOTAL P 04

RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW - A PROFESSIONAL CORPORATION

DATED. April 21, 2003

**JAMES L. MARKMAN
CITY ATTORNEY
CITY OF RANCHO CUCAMONGA
and CITY OF UPLAND**

By MICHAEL P. COYNE
Attorney for Defendants
CITY OF RANCHO CUCAMONGA,
CITY OF UPLAND

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By THOMAS A SAENZ
Attorney for Plaintiffs
COMITE DE JORNALEROS DE
RANCHO CUCAMONGA Y
UPLAND, NATIONAL DAY
LABORER ORGANIZING
NETWORK

FOR GOOD CAUSE SHOWN

The current litigation schedule, including the Discovery, Motion and Settlement Conference cut-offs, as well as the Settlement Conference, Pre-trial Conference and Trial dates, are vacated and the case is stayed for 120 days from the date of this order. Within 120 days, the parties are to either file a notice of dismissal, or request that the litigation schedule be reset.

Hon Virginia A Phillips,
United States District Judge