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FILED

JUL 17 2009

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK

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BY _____ DEPUTY CLERK

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8 **THE UNITED STATES DISTRICT COURT**
9 **FORTHE EASTEN DISTRICT OF CALIFORNIA**

10 ***

11 STANLEY BRADFORD CLARKE,

12 Plaintiff,

13 v.

14 SANDRA UPTON; AMPARO WILLIAMS;
15 DEPARTMENT OF SOCIAL SERVICES; and
16 COUNTY OF MADERA,

Defendants

) No. CV-F-07-888 OWW/SMS
)
) Stipulation and Order Regarding
) Filing of Sixth Amended Complaint;

Clarke v. Upton, et al

Doc. 98

17 **RECITALS**

18 1. Defendants Sandra Upton, Amparo Williams, Department of Social Services and County of
19 Madera (hereinafter collectively "Defendants") filed motions to strike and to dismiss the Fifth Amended
20 Complaint filed herein by plaintiff Stanley Bradford Clarke ("Clarke");

21 2. Clarke filed an opposition to Defendants' motions and filed a counter-motion for leave to
22 amend and for appointment as guardian ad litem of Clarke's minor child Ambrose.

23 3. Those motions and counter-motions were heard on April 27, 2009, in Department 3 of this
24 court, the Honorable Oliver W. Wanger, judge presiding.

25 4. On May 26, 2009 the Court's Memorandum Decision and Order granting in part and denying
26 in part these motions and counter-motions was filed and, pursuant thereto, Clarke was given until June 19,
27 2009 to file a sixth amended complaint.
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1 5. The parties hereto, through their respective counsel, previously agreed to extend, and the
2 court entered its order extending the deadline for Clarke to file a sixth amended complaint to July 15, 2009.

3 6. In the interim Clarke has agreed to proceed *in propria persona* and concurrently herewith
4 Clarke is filing a Substitution of Attorney's pursuant to which Clarke will so proceed. The parties hereto,
5 therefore, agree to extend the deadline for Clarke to file a sixth amended complaint by an additional ten day
6 period; that is, to July 25, 2009.

7 7. The parties hereto further agree that Defendants will suffer no prejudice by extending the
8 deadline for Clarke to file a sixth amended complaint, and that the deadline should be extended as herein set
9 out.

10 8. Now, therefore, the parties hereto, by and through their respective attorneys of record herein,
11 agree and stipulate as follows:

12 **STIPULATION**

13 1. The deadline for Clarke to file a Sixth Amended Complaint pursuant to the Court's
14 Memorandum Decision and Order filed on May 26, 2009 shall be extended until July 25, 2009.

15 Dated: July 15, 2009

THE ROWELL LAW OFFICE

17
18 /s/ David L. Rowell
by: David L. Rowell, attorney for
Stanley Bradford Clarke

19
20 Dated: July 15, 2009

EMERSON, COREY, SORENSEN, CHURCH &
YOHMAN

21
22
23 /s/ Ryan Libke
by: Ryan Libke, attorney for
Sandra Upton, Amparo Williams, Department of So-
cial Services and County of Madera

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26 **ORDER ON STIPULATION**

27 GOOD CAUSE THEREFOR APPEARING, IT IS HEREBY ORDERED that the deadline for
28 plaintiff Stanley Bradford Clarke to file a Sixth Amended Complaint pursuant to the Court's Memo-

1 random Decision and Order filed on May 26, 2009 shall be extended until July 25, 2009.

2
3 Dated: 7-27-09

4 Oliver W. Wanger,
5 U.S. District Court Judge
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