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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MIKE E. BARBA, BARBRA
BARBA and) TYE BARBA,

Plaintiffs,

v.

CITY OF SHAFTER, RANDY
MILLIGAN, JOSHUA
STEPHENS, DOES) 1 through 20,

Defendants.

No. No. 1:12-cv-00195-AWI-JLT

**ORDER re STIPULATION AND
REQUEST TO ALLOW DEFENDANTS
EXTRA TIME TO FILE REPLY**

On February 26, 2015, the Court granted in part and denied in part Defendants’ motion for summary judgment. Doc. No. 51. As part of that order, the Court ordered Plaintiff to show cause why summary judgment should not be granted on: (1) all claims alleged against Defendant Joshua Stephens; and (2) Plaintiffs’ Fourteenth Amendment claim. See id. The Court set a briefing schedule for Plaintiffs to respond and for Defendants to reply. See id.

On February 27, 2015, the parties filed a stipulation to move Defendants’ reply date, due to trial commitments by defense counsel. The Court will give effect to that stipulation.

1 However, the Court notes in the stipulation that parties characterize the
2 Court's actions as "invit[ing] Plaintiffs to file a supplemental brief on the narrow
3 Fourteenth Amendment issue" Doc. No. 52. This is a mischaracterization.
4 The Court did not "invite" Plaintiff to file a supplemental brief on one issue. The
5 Court has ordered Plaintiff to show cause why summary judgment should not be
6 granted on two areas: the Fourteenth Amendment claims alleged against Defendant
7 Milligan and Defendant Stephens and all other claims against Stephens. See Doc.
8 No. 51 at pp. 16-17, 19-21. If Plaintiff does not show cause on either or both of
9 these areas, summary judgment will be granted.

13 Accordingly, IT IS HEREBY ORDERED that, pursuant to the parties'
14 stipulation, Defendants may now file reply papers, as described in the Court's
15 February 26 summary judgment order (Doc. No. 51), no later than April 6, 2015.

18 IT IS SO ORDERED.

19 Dated: February 27, 2015

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21 SENIOR DISTRICT JUDGE