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14 BRUCE RUDD, GREG BARFIELD, JERRY DYER and PHILLIP WEATHERS

15 UNITED STATES DISTRICT COURT
16 EASTERN DISTRICT OF CALIFORNIA
17

18 LUIS SANCHEZ,)
19 Plaintiff,)
20 v.)
21 CITY OF FRESNO, ASHLEY)
SWEARENGIN, MARK SCOTT, BRUCE)
22 RUDD, GREG BARFIELD, JERRY DYER,)
PHILLIP WEATHERS, MALCOLM)
23 DOUGHERTY and DOES 1 through 100,)
inclusive,)
24 Defendants.)

Case No. 1:12-CV-00428-LJO-SKO
STIPULATION AND ORDER RE:
DEADLINES

- Related Cases:
No. 1:12-CV-00429-LJO-SKO
No. 1:12-CV-00430-LJO-SKO
No. 1:12-CV-00431-LJO-SKO
No. 1:12-CV-00432-LJO-SKO
No. 1:12-CV-00434-LJO-SKO
No. 1:12-CV-00436-LJO-SKO
No. 1:12-CV-00439-LJO-SKO
No. 1:12-CV-00448-LJO-SKO
No. 1:12-CV-00528-LJO-SKO
No. 1:12-CV-01117-LJO-SKO
No. 1:12-CV-01118-LJO-SKO
No. 1:12-CV-01119-LJO-SKO
No. 1:12-CV-01120-LJO-SKO
No. 1:12-CV-01121-LJO-SKO
No. 1:12-CV-01122-LJO-SKO

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- No. 1:12-CV-01123-LJO-SKO
- No. 1:12-CV-01124-LJO-SKO
- No. 1:12-CV-01125-LJO-SKO
- No. 1:12-CV-01126-LJO-SKO
- No. 1:12-CV-01128-LJO-SKO
- No. 1:12-CV-01130-LJO-SKO
- No. 1:12-CV-01132-LJO-SKO
- No. 1:12-CV-01133-LJO-SKO
- No. 1:12-CV-01134-LJO-SKO
- No. 1:12-CV-01136-LJO-SKO
- No. 1:12-CV-01137-LJO-SKO
- No. 1:12-CV-01138-LJO-SKO
- No. 1:12-CV-01139-LJO-SKO
- No. 1:12-CV-01161-LJO-SKO
- No. 1:12-CV-01162-LJO-SKO
- No. 1:12-CV-01166-LJO-SKO
- No. 1:12-CV-01215-LJO-SKO

The parties, through their respective counsel of record, hereby stipulate as follows:

1. Plaintiffs shall serve the remaining lawsuits by August 3, 2012;
2. Each of the related actions shall be deemed consolidated for purposes of pretrial and discovery, but not for trial, and filings pertaining to all actions shall be filed only in Sanchez v. City of Fresno, et al., Case No. 1:12-CV-00428-LJO-SKO. If a filing relates to one or more cases other than Sanchez, these case numbers will be noted on the first page of the filing document, under the Sanchez case number;
3. Defendants shall file and serve their responsive pleadings to all of the lawsuits by September 7, 2012;
4. If any Defendant chooses to file a Rule 12 Motion:
 - a. The Defendant(s) will address any issue that is universal to all of the complaints by addressing the allegations in the complaint in Sanchez that are contained in all complaints (any ruling will be applicable to all cases);
 - b. If there is an issue that is not universal to all of the complaints, Defendant(s) will reference the disputed issue and the applicable complaint and case number in the notice and separately address the issue in their motions and briefs;

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c. The Defendant(s) will be allowed to file separate motions as follows: one motion on behalf of defendants Swearengin, Scott, Rudd, Barfield, Dyer and Weathers (the Individual City Defendants), one motion on behalf of the City of Fresno, and one motion on behalf of defendant Dougherty;

d. Each motion shall be treated as a separate motion for purposes of page limitation requirements;

5. The parties shall serve their initial Rule 26(a)(1) Disclosures by September 15, 2012;

6. Discovery will be open to all parties on September 15, 2012;

7. Inspection of the storage units can be sought pursuant to discovery. In addition, prior to discovery, inspection of said units can be arranged at a mutually convenient date and time;

8. Once the matter is at issue, the parties will arrange a further status conference before Magistrate Judge Oberto.

Dated: August 2, 2012 BETTS & RUBIN

By /s/ James B. Betts
James B. Betts
Attorneys for Defendants CITY OF FRESNO,
ASHLEY SWEARENGIN, MARK SCOTT, BRUCE
RUDD, GREG BARFIELD, JERRY DYER and
PHILLIP WEATHERS

Dated: August 2, 2012 GEORGESON & BELARDINELLI

By /s/ Russell Georgeson
Russell Georgeson
Attorneys for Defendants CITY OF FRESNO,
ASHLEY SWEARENGIN, MARK SCOTT, BRUCE
RUDD, GREG BARFIELD, JERRY DYER and
PHILLIP WEATHERS

CALIFORNIA DEPARTMENT OF TRANSPORTATION

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Dated: August 2, 2012

By /s/ John K. Hoxie
John K. Hoxie, Esq.
Attorney for Defendant Malcolm Dougherty

ARNOLD & PORTER, LLP

Dated: August 2, 2012

By /s/ Paul Alexander
Paul Alexander
Attorney for Plaintiffs

CENTRAL CALIFORNIA LEGAL SERVICES, INC.

Dated: August 2, 2012

By /s/ Chris Schneider
Chris Schneider
Attorney for Plaintiffs

CENTRAL CALIFORNIA LEGAL SERVICES, INC.

Dated: August 2, 2012

By /s/ Christina Hathaway
Christina Hathaway
Attorney for Plaintiffs

CENTRAL CALIFORNIA LEGAL SERVICES, INC.

Dated: August 2, 2012

By /s/ Suzanne Swenk
Suzanne Swenk
Attorney for Plaintiffs

CENTRAL CALIFORNIA LEGAL SERVICES, INC.

Dated: August 2, 2012

By /s/ Naureen M. Nalia
Naureen M. Nalia
Attorney for Plaintiffs

ORDER

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Based upon the stipulation of the parties, IT IS HEREBY ORDERED that:

1. The Plaintiffs will serve the remaining lawsuits by August 3, 2012;
2. The responsive pleadings of Defendants to all of the lawsuits will be served and filed by September 7, 2012;
3. If a Rule 12 Motion is filed by Defendants, the Defendants may file one motion on behalf of Dougherty, one on behalf of the City of Fresno, and one on behalf of the Individual City Defendants. Each motion shall be treated as a separate motion for purposes of page limitation requirements;
4. To the extent Defendants elect to file an answer, as opposed to a Rule 12 motion, Defendants may file an answer on behalf of Defendant Dougherty, an answer on behalf of the City of Fresno, and an answer on behalf of the Individual City Defendants to all the complaints collectively. Any individualized admissions, denials, or affirmative defenses that pertain only to a specific complaint or group of complaints should be set out separately in the answer, delineated by case name and number to which the individual admissions, denials, and/or affirmative defenses pertain.
5. Initial Rule 26 Disclosures will be served on September 15, 2012; and
6. Discovery will open for both parties on September 15, 2012.

IT IS SO ORDERED.

Dated: August 2, 2012

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE