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10 ATTORNEYS FOR DEFENDANTS ASHLEY SWEARENGIN,
MARK SCOTT, BRUCE RUDD, GREG BARFIELD,
11 JERRY DYER, PHILLIP WEATHERS, GREGORY GARNER,
RAUL BOMBARDLY, LUIS CASTELLANOS, SU FANG
12 AND RICK MENDIZABAL

13 **UNITED STATES DISTRICT COURT**
14 **EASTERN DISTRICT OF CALIFORNIA**
15 **FRESNO DIVISION**
16

17 LUIS SANCHEZ, ANGELITA SOTO,
18 GLORIA WILLIAMS, THERESA CALMER,
JULIAN FERNANDEZ, MELISSA OHLER,
19 and JOSHUA DEEN,

20 Plaintiffs,

21 vs.

22 CITY OF FRESNO, ASHLEY SWEARENGIN,
MARK SCOTT, BRUCE RUDD, GREG
23 BARFIELD, JERRY DYER, PHILLIP
WEATHERS, MALCOLM DOUGHERTY,
24 GREGORY GARNER, RAUL BOMBARDLY,
LUIS CASTELLANOS, SU FANG, RICK
25 MENDIZABAL and DOES 1 through 100,
inclusive,

26 Defendants.
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Case No.: 1:12-cv-00428-LJO-SKO
And Related Consolidated Cases

**STIPULATION TO EXTEND TIME
TO FILE DISPOSITIVE MOTIONS;
ORDER THEREON**

1 Plaintiffs and Defendants, by and through their counsel of record, hereby stipulate and agree
2 as follows:

3 1. The parties have worked diligently to complete discovery, including voluminous
4 depositions of the parties and percipient witnesses;

5 2. The parties are meeting and conferring to address and resolve multiple issues that
6 could reduce the scope of issues to be tried, including:

7 A. Plaintiff's potential motion for partial summary judgment re City of Fresno
8 policies and practices under Monell in conducting clean-ups of homeless
9 encampments; and

10 B. Defendants' potential motion for partial summary judgment re Plaintiffs'
11 substantive due process and equal protection claims, as well as causes of
12 action under California Civil Rule Section 52.1, and for Intentional Infliction
13 of Emotional Distress and the Individual Defendants' defense of qualified
14 immunity.

15 3. The parties have exchanged written meet and confer correspondence, proposed
16 factual stipulations and prepared undisputed facts, and are in the process of analyzing and
17 responding to those exchanges. The parties are also meeting and conferring to attempt to streamline
18 the summary judgment process to avoid the need to file over thirty (30) separate dispositive
19 motions.

20 Based upon the foregoing, and for good cause appearing, the parties stipulate and agree to
21 extend the dispositive motion cut-off, as set forth in this Court's Amended Scheduling Order, from
22 December 31, 2013 to January 31, 2014.

23
24 DATED: DECEMBER 23, 2013

ARNOLD & PORTER LLP

25
26 By: /s/ Paul Alexander

Paul Alexander

27 Attorneys for Plaintiffs

1 Dated: December 23_, 2013

BETTS, RUBIN & MCGUINNESS

2
3 By: /s/ James B. Betts

4 James B. Betts

Attorneys for Defendant City of Fresno

5 Dated: December 23, 2013

6 GEORGESON, BELARDINELLI & NOYES

7
8 By /s/ C. Russell Georgeson

9 C. Russell Georgeson

10 Attorneys for Defendants Ashley Swearengin,

Mark Scott, Bruce Rudd, Greg Barfield,

11 Jerry Dyer, Phillip Weathers, Gregory Garner,

Raul Bombardly, Luis Castellanos, Su Fang and

Rick Mendizabal

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17 **ORDER**

18 This Court ENTERS this order based on the parties' above stipulation and ADMONISHES
19 the parties to comply with summary judgment requirements of this Court's April 2, 2013 order.

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21 IT IS SO ORDERED.

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23 Dated: December 23, 2013

/s/ Lawrence J. O'Neill
24 UNITED STATES DISTRICT JUDGE