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**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA**

IRINA ENGERT, ANNE ENGERT, and RON  
ENGERT, Individually and as Successors-in-  
Interest to Glendon Engert,

Plaintiffs,

vs.

**Case No.: 1:13-CV-00126-LJO-BAM**

**STIPULATION TO CONTINUE FINAL  
PRETRIAL CONFERENCE; ORDER**

1 STANISLAUS COUNTY; SHERIFF ADAM  
2 CHRISTIANSON; ROBERT LEE PARIS, SR.  
3 and ELIZABETH JANE PARIS, PERSONAL  
4 REPRESENTATIVES TO THE ESTATE OF  
5 DEPUTY SHERIFF ROBERT LEE PARIS,  
6 JR.; DEPUTY MICHAEL GLINSKAS;  
7 SERGEANT MANUEL MARTINEZ;  
8 LIEUTENANT CLIFF HARPER; RT  
9 FINANCIAL, INC.; RONI ROBERTS; and  
10 DOES ONE through TWENTY-FIVE,  
11 inclusive,

12 Defendants.

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**TO THE COURT, TO ALL PARTIES, AND TO THEIR COUNSEL OF RECORD:**

Pursuant to Local Rule 143, Plaintiffs IRINA, RON and ANNE ENGERT (“Plaintiffs”) and Defendants COUNTY OF STANISLAUS, LIEUTENANT CLIFF HARPER, SERGEANT MANUEL MARTINEZ, DEPUTY MICHAEL GLINSKAS and the ESTATE OF DEPUTY ROBERT LEE PARIS (“Defendants”), by and through their undersigned counsel, hereby stipulate as follows:

1. Briefing on Defendants’ three Motions for Summary Judgment, or in the alternative, Summary Adjudication, is now complete.

2. On April 17, 2015, the District Court issued a Minute Order vacating the hearing on the three for Summary Judgment, or in the alternative, Summary Adjudication (Dckt. No. 191). The District Court took the Motions for Summary Judgment, or in the alternative, Summary Adjudication under submission pursuant to Eastern District Local Rule 230(g).

3. The Final Pretrial Conference is currently scheduled for June 25, 2015 before the Honorable District Court Judge Lawrence J. O’Neill. In accordance with the Pretrial Scheduling Order and Standing Orders, counsel for the Parties have commenced their meet and confer effort regarding the Joint Pretrial Conference. In addition to the preparation of other trial related documents, by the Parties’ calculation, Plaintiffs must transmit their draft Joint Pretrial Statement to Defendants on or before June 11, 2015. Defendants must complete their portion of the Joint Pretrial Statement and the Parties must finalize that document for filing no later than June 18, 2015.

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2 4. In light of the volume of the three Motions for Summary Judgment, or in the alternative,  
3 Summary Adjudication, the Oppositions and Replies thereto, and evidence submitted by the Parties in  
4 support of their respective positions, counsel for the Parties are cognizant that additional time may be  
5 necessary to complete review of those papers prior to the issuance of a ruling on the Motions by the  
6 District Court. Likewise, the Parties in good faith believe that the issuance of a ruling and Order on the  
7 three Motions for Summary Judgment would help define the scope of the claims and issues for the  
8 Parties to address as part of their preparation for the Final Pretrial Conference, including but not limited  
9 to preparation of the Joint Pretrial Statement, Jury Instructions, Motions in Limine and Exhibits and  
10 Exhibit Lists.

11 5. Based on the above, the Parties stipulate to and request a short continuance of the Final  
12 Pretrial Conference to allow additional time for the issuance of an Order on the Motions for Summary  
13 Judgment, or in the Alternative, Summary Adjudication. The Parties propose the following changes:

Deadline	Current Date:	Proposed New Date:
Plaintiffs' Draft Joint Pretrial Statement to be transmitted to Defendants	June 11, 2015	June 25, 2015
Defendants' Draft Joint Pretrial Statement to be transmitted to Plaintiffs and filing of Joint Pretrial Statement with District Court	June 18, 2015	July 2, 2015
Final Pretrial Conference	June 25, 2015	July 9, 2015

22 Respectfully submitted,

23 Dated: May 14, 2015

24 WALKUP, MELODIA, KELLY & SCHOENBERGER

25 By /s/ Richard H. Schoenberger (as authorized 5/14/15)  
26 Richard H. Schoenberger  
27 Spencer J. Pahlke  
28 Attorneys for Plaintiffs  
IRINA ENGERT, ANNE ENGERT, and RON ENGERT

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Dated: May 13, 2015

PORTER SCOTT  
A PROFESSIONAL CORPORATION

By /s/ John R. Whitefleet  
Terence J. Cassidy  
John R. Whitefleet  
Lauren E. Calnero  
Attorneys for Defendants  
COUNTY OF STANISLAUS; SHERIFF ADAM  
CHRISTIANSON; LIEUTENANT CLIFF HARPER

Dated: May 13, 2015

RIVERA & ASSOCIATES

By /s/ Jesse M. Rivera (as authorized May 13, 2015)  
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Jill B. Nathan  
Attorney for Defendant  
SERGEANT MANUEL MARTINEZ

Dated: May 13, 2015

GOYETTE & ASSOCIATES

By /s/ Sean D. O'Dowd (as authorized May 13, 2015)  
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Attorney for Defendant  
SERGEANT MANUEL MARTINEZ

Dated: May 13, 2015

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Attorney for Defendants  
DEPUTY MICHAEL GLINSKAS and ESTATE OF  
DEPUTY ROBERT PARIS, JR

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**ORDER**

Having reviewed the above Stipulation, and good cause appearing,

IT IS HEREBY ORDERED that the Final Pretrial Conference be continued to July 9, 2015. Plaintiffs will transmit their draft of the Joint Pretrial Statement on June 25, 2015. Defendants will transmit their modifications to the draft Joint Pretrial Statement on July 2, 2015, and the Joint Pretrial Statement will be filed no later than July 2, 2015.

IT IS SO ORDERED.

Dated: May 15, 2015

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