

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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,

v.

STANISLAUS COUNTY; SHERIFF ADAM
CHRISTIANSON; ROBERT LEE PARIS, SR.
AND ELIZABETH JANE PARIS, PERSONAL
REPRESENTATIVES TO THE ESTATE OF
DEPUTY SHERIFF ROBERT LEE PARIS, JR.;
DEPUTY MICHAEL GLINKSKAS;
SERGEANT MANUAL MARTINEZ;
LIEUTENANT CLIFF HARPER; RT
FINANCIAL, INC.; RONI ROBERTS and
DOES ONE through TWENTY-FIVE, inclusive,

Defendants.

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

**ORDER GRANTING JOINT EX PARTE
APPLICATION TO AMEND
PLAINTIFFS' FIRST AMENDED
COMPLAINT**

The Joint Application for leave of the Court for plaintiffs to file their Second Amended Complaint was reviewed without hearing. After consideration of the Ex Parte Application papers, and all other matters presented to the Court, IT IS HEREBY ORDERED that the Joint Ex Parte Application for leave of the Court for plaintiffs to file their Second Amended Complaint, attached to the Declaration of Richard H. Schoenberger as Exhibit A, is GRANTED. The Court further orders as follows:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- That, for purposes of plaintiffs Creditors’ Claims and the rejection thereof only, the Second Amended Complaint is deemed to have been filed after May 6, 2013 and before August 2, 2013.
- That the prior stipulation between the parties (“Stipulation Re Paragraph 8 of Plaintiffs First Amended Complaint”), filed on August 2, 2013, is withdrawn.
- That there is no need for additional responsive pleadings to be filed by the defendants following the filing of plaintiffs’ Second Amended Complaint, as all prior allegations made by defendants in their responsive pleadings will be deemed responsive to the Second Amended Complaint.
- Plaintiffs shall file their Second Amended Complaint on or before October 25, 2013.

IT IS SO ORDERED.

Dated: October 22, 2013

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE