

1 KAMALA D. HARRIS, State Bar No. 146672  
Attorney General of California  
2 JUDITH A. RECCHIO, State Bar No. 163060  
Supervising Deputy Attorney General  
3 MATTHEW T. BESMER, State Bar No. 269138  
Deputy Attorney General  
4 2550 Mariposa Mall, Room 5090  
Fresno, CA 93721  
5 Telephone: (559) 477-1680  
Fax: (559) 445-5106  
6 E-mail: Matthew.Besmer@doj.ca.gov  
*Attorneys for Defendant Department of*  
7 *Developmental Services*

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
10 FRESNO DIVISION

12 **YVONNE ARCURE, KEVIN COOK,  
13 JOSEPH FESSENDEN, LISA HUFF &  
14 KATHREN WOODSIDE,**

Plaintiffs,

15 v.

17 **CALIFORNIA DEPARTMENT OF  
18 DEVELOPMENTAL SERVICES,  
19 DEBORAH MEEKER, JEFFREY  
20 BRADLEY, DOUGLAS LOEHNER,  
and MARK RODRIGUEZ,**

Defendants.

1:13-cv-00541-LJO-BAM

**STIPULATION AND ORDER TO  
CONTINUE MANDATORY  
SCHEDULING CONFERENCE**

22 WHEREAS, Plaintiffs filed their complaint on April 16, 2013;

23 WHEREAS, Defendant Department of Developmental Services (“DDS”) filed motions to  
24 dismiss, strike, and for a more definite statement on June 6, 2013, to be heard on July 9, 2013;

25 WHEREAS, the Court issued an order on June 7, 2013, vacating the July 9, 2013, hearing  
26 date and set a briefing schedule on the motions;

27 WHEREAS, Plaintiffs filed their first amended complaint on June 24, 2013, in accordance  
28 with the Court’s briefing schedule;

1 WHEREAS, in response to Plaintiffs' first amended complaint, the Court issued an Order  
2 to Term Motions on June 25, 2013, directing DDS to file its responsive pleading on or before July  
3 18, 2013;

4 WHEREAS, pursuant to the Court's Order Setting Mandatory Scheduling Conference, the  
5 joint scheduling conference is currently set for August 1, 2013, at 9:00 a.m. in Courtroom 8;

6 WHEREAS, the parties believe that additional time is needed to address the matters set  
7 forth in the Court's Order Setting Mandatory Scheduling Conference in light of (a) Plaintiffs'  
8 recently filed first amended complaint that asserts twenty-seven causes of action compared to the  
9 original complaint that asserted five causes of action, (b) DDS's response to the first amended  
10 complaint being due less than two weeks before the scheduling conference currently set for  
11 August 1, 2013, and (c) to allow time to attempt to negotiate a potential settlement with two of  
12 the plaintiffs.

13 IT IS HEREBY STIPULATED by and between their respective counsel, that:

14 1. The Mandatory Scheduling Conference previously scheduled for August 1, 2013,  
15 should be continued to October 1, 2013, at 9:00 a.m. in Courtroom 8, or at such time thereafter as  
16 may be set by the Court.

17 Dated: June 28, 2013

OFFICE OF THE ATTORNEY GENERAL

18  
19 By: /s/ Matthew T. Besmer

MATTHEW T. BESMER  
Deputy Attorney General  
Attorneys for Defendant Department of  
Developmental Services

22 Dated: June 28, 2013

LAW OFFICES OF LAWRENCE J. KING

23  
24 By: /s/ Lawrence J. King

LAWRENCE J. KING  
Attorney for Plaintiffs Yvonne Arcure,  
Kevin Cook, Joseph Fennesden, Lisa  
Huff & Kathren Woodside

