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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT FELIX and JACK PHELPS,
individuals,

Plaintiffs,

v.

THE STATE OF CALIFORNIA,
DEPARTMENT OF DEVELOPMENTAL
SERVICES, OFFICE OF PROTECTIVE
SERVICES,

Defendant.

1:13-cv-00561-LJO-SKO

**STIPULATION AND ORDER RE:
FILING OF AMENDED ANSWER TO
FIRST AMENDED COMPLAINT**

Pursuant to the Scheduling Order entered September 16, 2013, the Parties hereby stipulate that Defendant may file an Amended Answer to the First Amended Complaint (FAC) on or before November 15, 2013. The amendment alleges one additional affirmative defense and does not require any modification to the existing scheduling order. Furthermore, the parties agree that

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the amendment is not prejudicial to plaintiffs, not the product of undue delay, not proposed in bad faith and is not futile.

IT IS SO STIPULATED.

Dated: October 16, 2013

LAW OFFICE OF KEVIN SCHWIN

By: */s/ Kevin M. Schwin*

Kevin Schwin
*Attorney for Plaintiffs Robert Felix
and Jack Phelps*

Dated: October 16, 2013

OFFICE OF THE ATTORNEY GENERAL

By: */s/ Mary Horst*

Mary Horst
Deputy Attorney General
*Attorneys for Defendant Department
of Developmental Services*

ORDER

IT IS SO ORDERED.

Dated: **October 16, 2013**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE