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10 Attorneys for Plaintiffs

11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**

13 ARTHUR D. JACKSON, an individual;
14 LEONARD M. LUJAN, an individual;
15 MARCUS JACKSON, an individual;
16 RODNEY TAYLOR, an individual;
17 LACEDRIC JOHNSON, an individual;
18 L.T. BELTON, an individual; NORMAN
19 JOHNSON, an individual, on behalf of
20 themselves and on behalf of all others
21 similarly situated,

22 Plaintiffs,

23 vs.

24 STATE OF CALIFORNIA, a Public
25 Entity; EDMUND G. BROWN, JR.,
26 GOVERNOR; CALIFORNIA
27 DEPARTMENT OF CORRECTIONS
28 AND REHABILITATION ("CDCR"), a
Public Entity; MATTHEW CATE,
SECRETARY CDCR; JEFFREY
BEARD, SECRETARY CDCR; P.D.
BRAZELTON; WARDEN PLEASANT
VALLEY STATE PRISON; JAMES D.
HARTLEY, WARDEN AVENAL
STATE PRISON; CALIFORNIA
CORRECTIONAL HEALTH CARE
SERVICES ("CCHCS"); and DOES 1
through 50, inclusive,

Defendants.

**CASE NO.: 1:13-CV-01055-LJO-
SAB**

CLASS ACTION

**STIPULATION AND ORDER TO
CONTINUE THE HEARING ON
DEFENDANTS' MOTION TO
DISMISS SECOND AMENDED
COMPLAINT AND EXTEND
THE BRIEFING PERIOD ON
THE OPPOSITION AND REPLY
BRIEFS**

1 **WHEREAS**, Defendants’ Motion to Dismiss Second Amended
2 Complaint Under Rule 12(b)(6) (“Motion”) is set to be heard on June 25, 2014;

3 **WHEREAS**, the parties wish to continue the hearing on the Motion and
4 modify the briefing schedule on the opposition and reply briefs;

5 **THEREFORE, IT IS HEREBY STIPULATED**, subject to approval of
6 the Court, that:

- 7 1. The hearing on Defendants’ Motion be continued to July 9, 2014;
- 8 2. Plaintiffs’ opposition brief be due on June 20, 2014; and
- 9 3. Defendants’ reply brief be due on July 2, 2014.

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12 Dated: June 5, 2013

ARIAS OZZELLO & GIGNAC LLP

13
14 By: /s/ Suzy E. Lee
15 **MARK A. OZZELLO**
16 **SUZY E. LEE**
17 **ARIAS, OZZELLO & GIGNAC,**
18 **LLP**

19 **IAN WALLACH**
20 **JASON K. FELDMAN**
21 **FELDMAN & WALLACH**

Attorneys for Plaintiffs

22
23
24 Dated: June 5, 2013

25 By: /s/ David E. Brice
26 **KAMALA D. HARRIS**
27 Attorney General of California
28 **JAY C. RUSSELL**
 Supervising Deputy Attorney
 General

JON S. ALLIN
 DAVID E. BRICE
 Deputy Attorneys General

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ORDER

The Court having reviewed the foregoing Stipulation, and good cause appearing orders as follows:

1. The hearing on Defendants’ Motion shall be continued to July 9, 2014 at 10:00 a.m.
2. Plaintiffs’ opposition brief be due on June 20, 2014; and
3. Defendants’ reply brief be due on July 2, 2014.

IT IS SO ORDERED.

Dated: **June 6, 2014**


UNITED STATES MAGISTRATE JUDGE