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7 **UNITED STATES DISTRICT COURT**
8 **FOR THE EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

9 NANCY JUNE NOVAK,

10
11 Plaintiff,

12 vs.

13 CITY OF MERCED, A MUNICIPAL
CORPORATION, MERCED POLICE
14 OFFICER RASMUSSEN (#161),
INDIVIDUALLY AND IN HIS
15 OFFICIAL CAPACITY AS A POLICE
OFFICER FOR THE CITY OF MERCED,
16 SGT. STRUBLE (ID #UNKNOWN),
INDIVIDUALLY AND IN HIS
17 OFFICIAL CAPACITY AS A POLICE
SERGEANT FOR THE CITY OF
18 MERCED, OFFICER CHAVEZ (#156),
INDIVIDUALLY AND IN HIS
19 OFFICIAL CAPACITY AS A POLICY
OFFICER FOR THE CITY OF MERCED,
20 THE MENTOR NETWORK, LOYD'S
LIBERTY HOMES, INC., A
21 MASSATUCHETS CORPORATION
DOING BUSINESS IN CALIFORNIA,
22 CHRISTINA TRIGG, AN INDIVIDUAL,
23 JOELLA BREWER, AN INDIVIDUAL,
24 CARE MERIDIAN CORPORATION,
25 AND DOES 1-50, inclusive,

26
27 Defendants.
28

Case No.: 1:13-CV-01402-BAM

Action Filed: Aug. 30, 2013

**STIPULATION TO EXTEND FILING
DATE FOR MOTIONS IN LIMINE
FROM AUG. 19, 2016 TO AUG. 23,
2016 WITH NO CHANGES TO ANY
OTHER DEADLINES IN PRETRIAL
ORDER OF AUGUST 1, 2016**

1 Plaintiff, NANCY JUNE NOVAK, by and through her attorney of record,
2 Timothy V. Magill, Esq. of Magill Law Offices in Fresno, California, and Defendants,
3 MERCED POLICE DEPARTMENT, OFFICER RASMUSSEN, SGT. STRUBLE, and
4 OFFICER CHAVEZ, by and through their attorney of record, Dale Long Allen, Jr., Esq.
5 of San Francisco, California, hereby Stipulate and agree to extend the filing of the
6 motions in limine on August 19, 2016 shall be continued to August 23, 2016. The basis
7 for this continues and change in the deadline for the filling of Motions in Limine is as a
8 result of the emergency hospitalization of Timothy V. Magill on August 16-17, 2016 at
9 St. Agnes Medical Center and the ongoing medical issues this is causing plaintiff's
10 attorney. It is believed that the medical condition will clear up sufficiently for Mr. Magill
11 to file plaintiff's motions in limine on August 23, 2016. Defendant's attorney Dale Allen
12 has agreed and stipulated to this short extension for the filing of the MILs only and all
13 remaining deadlines in the Court's PRETRIAL Order of August 1, 2016 remain in full
14 force and effect. Attached hereto is an email from Mr. Allen setting forth his agreement
15 and stipulation.

16 DATED: August 19, 2016.

MAGILL LAW OFFICES

17 By: _____/S/_____
18 Timothy V. Magill, Esq.
19 Attorney for Plaintiff,
20 NANCY JUNE NOVAK

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DATED: August 19, 2016.

ALLEN, GLAESSNER, HAZELWOOD,
WERTH

By:

_____/S/_____

Dale Long Allen, Esq.
Attorney for Defendants,
MERCED POLICE DEPARTMENT,
OFFICER RASMUSSEN, SGT.
STRUBLE, and OFFICER CHAVEZ

ORDER

Pursuant to the parties' stipulation, and good cause appearing, IT IS HEREBY ORDERED that the deadline to file motions in limine is extended to August 23, 2016. All other pretrial and trial deadlines remain unchanged.

IT IS SO ORDERED.

Dated: August 19, 2016

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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PROOF OF SERVICE

I, the undersigned, hereby certify that I am employed in Fresno, California. I am over the age of eighteen years and not a party to the within action. My business address is: 3475 W. Shaw Avenue, Suite 106, Fresno, CA 93711.

On the date set forth below, I served a true copy of the within, **STIPULATION TO EXTEND FILING DATE FOR MILs ON PRETRIAL ORDER ONLY**, addressed as follows:

*Attorney for Defendants, City of Merced,
Merced Police Department, Officer
Rasmussen, Sgt. Struble, and Officer Chavez*
Dale Long Allen, Jr., Esq.
Allen, Glaessner, Hazelwood, Werth
180 Montgomery Street, Suite 1200
San Francisco, CA 94104
(415) 697-3456
dallen@aghwlaw.com

_____ By Mail – I placed the above document(s) in a sealed envelope, postage paid. I am readily familiar with the practice of our office for the collection and processing of items for mailing. Under that practice, all mail deposited in the mail receptacles will be deposited with United State Postal Service on the same day.

 X By E-Mail – I caused the above-referenced document(s) to be transmitted by electronic mail to the e-mail address(s) of the person(s) shown above.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 19 , 2016, at Fresno, California.

_____/S/_____
Elena L. Magill