## 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 ARTHUR GRAY, Case No.: 1:14-cv-0204 - LJO -JLT 11 12 Plaintiff. ORDER APPROVING THE STIPULATION OF THE PARTIES AND DIRECTING PLAINTIFF TO FILE THE FIRST AMENDED COMPLAINT NO 13 v. LATER THAN NOVEMBER 17, 2017 14 COUNTY OF KERN, (Doc. 48) Defendant. 15 16 17 On November 3, 2017, the Court held a trial-setting conference with the parties. On November 6, 2017, the Court noted "the property that is the subject of this lawsuit is now owned by a non-party, 18 the Kern County Hospital Authority." (Doc. 47) The parties were ordered "to discuss the filing of 19 either a stipulation or motion to substitute KCHA into the case." (*Id.*) 20 21 In accordance with the Court's order, the parties met and conferred, and on November 9, 2017, filed a stipulation for Plaintiff to file a First Amended Complaint, in which he adds Kern County 22 Hospital Authority as a defendant. (Doc. 48) In addition, the parties agreed "the Answer to the 23 original Complaint filed by the Defendant County of Kern on March 14, 2014, which answer and 24 defenses were prepared in response to the original Complaint, shall be deemed fully responsive to the 25 First Amended Complaint for both Defendants County of Kern and Kern County Hospital Authority." 26 (*Id.* at 2) Therefore, the defendants will not file another Answer. (*Id.*) 27

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Based upon the stipulation of the parties, the Court **ORDERS**: Plaintiff **SHALL** file his First Amended Complaint in the action no later than 1. **November 17, 2017**; and Upon the filing of the amended complaint, the Answer filed on March 3, 2014 (Doc. 3) 2. SHALL be deemed the answer for both the County of Kern and the Kern County Hospital Authority. IT IS SO ORDERED. Dated: **November 14, 2017** /s/ Jennifer L. Thurston UNITED STATES MAGISTRATE JUDGE