

1 FUTTERMAN DUPREE DODD CROLEY MAIER LLP  
MARTIN H. DODD (104363)  
2 JAMIE L. DUPREE (158105)  
JAIME G. TOUCHSTONE (233187)  
3 180 Sansome Street, 17th Floor  
San Francisco, California 94104  
4 Telephone: (415) 399-3840  
Facsimile: (415) 399-3838  
5 [mdodd@fddcm.com](mailto:mdodd@fddcm.com)  
[jdupree@fddcm.com](mailto:jdupree@fddcm.com)  
6 [jtouchstone@fddcm.com](mailto:jtouchstone@fddcm.com)

7 *Attorneys for Defendant*  
8 *J. Clark Kelso*

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11 **UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**  
**FRESNO DIVISION**

12 FREDERICK BEAGLE;  
DON BELARDES;  
13 FLOYD BOYD;  
RICHARD BURKE;  
JOSEPH BUSTAMONTE;  
14 CHARLES CARTER;  
OTHA CLARK;  
15 DONALD DIBBLE;  
JEROME FELDER;  
16 CANDELARIO GARZA;  
JEREMY HOLLIS;  
17 SCOTT IMUTA;  
INFINITY;  
18 GEORGE JOHNSON;  
BRUCK KOKLICH;  
19 GRADY MONTGOMERY;  
PETER ROMERO;  
20 JOSH THOMAS;  
AARON TILLIS;  
21 RENE VILLANUEVA;  
BERTRUM WESTBROOK; and  
22 WAYNE WOODS,

23 PLAINTIFFS,

24 v.

25 ARNOLD SCHWARZENEGGER,  
FORMER GOVERNER OF THE STATE  
26 OF CALIFORNIA;

27 EDMUND G. BROWN, GOVERNOR  
OF THE STATE OF CALIFORNIA;  
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Case No. 1:14-cv-00430-LJO-SAB

Related Cases: 1:13-cv-01055-LJO-SAB  
1:14-cv-00060-LJO-SAB

**STIPULATED APPLICATION AND  
ORDER FOR EXTENSION OF TIME TO  
RESPOND TO COMPLAINT**

Complaint Filed: February 6, 2014

1 JEFFREY A. BEARD, SECRETARY OF  
2 THE CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND  
REHABILITATION (CDCR);

3 PAUL D. BRAZELTON, FORMER  
4 WARDEN, PLEASANT VALLEY  
STATE PRISON;

5 MATTHEW CATE, FORMER  
6 SECRETARY OF THE CALIFORNIA  
DEPARTMENT OF CORRECTIONS  
AND REHABILITATION;

8 JAMES D. HARTLEY, WARDEN  
AVENAL STATE PRISON;

9 SUSAN L. HUBBARD, FORMER  
10 DIRECTOR, DIVISION OF ADULT  
OPERATIONS;

11 DEBORAH HYSEN, CHIEF DEPUTY  
12 SECRETARY, FACILITIES  
PLANNING, CONSTRUCTION &  
13 MANAGEMENT;

14 DR. FELIX IGBINOSA, MEDICAL  
DIRECTOR, PLEASANT VALLEY  
15 STATE PRISON;

16 CHRIS MEYER, SENIOR CHIEF,  
FACILITIES PLANNING,  
17 CONSTRUCTION & MANAGEMENT;

18 TANYA ROTHCHILD, FORMER  
CHIEF OF THE CLASSIFICATION  
19 SERVICES UNIT;

20 DWIGHT WINSLOW, M.D., FORMER  
MEDICAL DIRECTOR, CDCR;

21 JAMES A. YATES, FORMER  
22 WARDEN OF PLEASANT VALLEY  
STATE PRISON; AND

23 UNKNOWN DEFENDANTS 1-100,  
24 IN THEIR INDIVIDUAL CAPACITIES;

25 J. CLARK KELSO, RECEIVER,  
26 CALIFORNIA CORRECTIONAL  
HEALTH CARE SERVICES,  
27

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1 IN HIS OFFICIAL AND INDIVIDUAL  
2 CAPACITIES,  
3  
4 DEFENDANTS.

5 **STIPULATED APPLICATION**

6 Plaintiffs and Defendant J. Clark Kelso (“Kelso”), by and through their respective  
7 counsel, hereby bring this stipulated application pursuant to Civ. L.R. 144(b) to grant Kelso a 28-  
8 day extension of time, through and including June 5, 2014, within which to respond to the  
9 Complaint on file herein.

10 The parties previously agreed to two 28-day extensions of time by stipulation making  
11 Kelso’s response to the Complaint due on May 8, 2014.

12 Good cause exists to grant this stipulated application because the parties are in  
13 discussions concerning resolution of this matter between them. Although they have made  
14 significant progress in discussing a resolution, they have not completed the writing  
15 memorializing their settlement.

16 Therefore, Plaintiffs and Kelso respectfully request that the Court grant a 28-day  
17 extension of time for Kelso to respond to the Complaint to and including June 5, 2014.

18 Dated: May 5, 2014

FUTTERMAN DUPREE DODD  
CROLEY MAIER LLP

19 By: /s/ Martin H. Dodd  
Martin H. Dodd  
Attorneys for Defendant J. Clark Kelso

20 Dated: May 5, 2014

LAW OFFICES OF  
BENJAMIN PAVONE, PC

21 By: /s/ Benjamin Pavone  
(as authorized on 5/5/2014)  
Benjamin Pavone, Esq.  
Attorneys for Plaintiffs Frederick Beagle et al.

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**ORDER**

For good cause shown, the Stipulated Application of Plaintiffs and Kelso to grant Kelso a 28-day extension of time to respond to the Complaint IS HEREBY GRANTED. Kelso shall have through and including June 5, 2014 to file his response to the Complaint.

IT IS SO ORDERED.

Dated: May 6, 2014

  
UNITED STATES MAGISTRATE JUDGE