1 2	KAMALA D. HARRIS, State Bar No. 146672 Attorney General of California MONICA N. ANDERSON, State Bar No. 182970		
3	Supervising Deputy Attorney General R. LAWRENCE BRAGG, State Bar No. 119194		
4	Deputy Attorney General 1300 I Street, Suite 125		
5	P.O. Box 944255 Sacramento, CA 94244-2550		
6	Telephone: (916) 445-2595 Fax: (916) 324-5205		
0 7	E-mail: Lawrence.Bragg@doj.ca.gov Attorneys for Defendants		
8	Lowery and Ladd		
9	IN THE UNITED STATES DISTRICT COURT		
10	FOR THE EASTERN DISTRICT OF CALIFORNIA		
10	FRESNO DIVISION		
11			
12	JAMES MOZINGO,	:15-cv-00633 LJO BAM	
13		TIPULATION TO STRIKE PORTIONS	
14		<b>DF FIRST AMENDED COMPLAINT;</b> <b>DRDER REQUIRING FILING OF</b>	
15	S	ECOND AMENDED COMPLAINT EFLECTING STIPULATED CHANGES	
	RAYTHEL FISHER, JR., et al.,	EFLECTING STIFULATED CHANGES	
17	Defendants.		
18			
19 20			
20	After meeting and conferring, it is stipulated by and between Plaintiff Mozingo and		
21	Defendants Lowery and Ladd that certain allegations are stricken from the First Amended		
22	Complaint For Damages for Willful Violations of Civil Rights and for Pendent State Claims		
23	(FAC) (ECF No. 12):		
24	1. The words "right to due process" at FAC 1:24-25; and		
25	///		
26	///		
27			
28	1		
	1 STIPULATION TO STRIKE PORTIONS OF FIRST AMENDED COMPLAINT (1:15-cv-00633 LJO BAM)		

1	2. The words "under 42 U.S.C. § 1985 and 42 U.S.C. § 1986 (conspiracy to deprive	
2	civil rights)" at FAC 1:24-26. This language is stricken without prejudice to Mozingo re-alleging	
3	a violation of 42 U.S.C. sections 1985 and 1986 after conducting discovery. Defendants Lowery	
4	and Ladd agree that re-alleging a violation of 42 U.S.C. sections 1985 and 1986 is not subject to	
5	defenses based on the timeliness of the filing.	
6	SO STIPULATED.	
7	Dated: September 8, 2015 Respectfully submitted,	
8	LAW OFFICE OF KEN I. KARAN	
9	<u>/s/ Ken I. Karan</u> Ken I. Karan	
10	KEN I. KARAN Attorney for Plaintiff Mozingo	
11	Kamala D. Harris	
12	Attorney General of California	
13	MONICA N. ANDERSON Supervising Deputy Attorney General	
14	/s/ R. Lawrence Bragg	
15		
16	R. LAWRENCE BRAGG Deputy Attorney General	
17	Attorneys for Defendants Lowery and Ladd	
18		
19	ORDER	
20	The above stipulation is granted, on the condition that Plaintiff file a Second Amended	
21	Complaint that reflects the stipulated changes. This will help to ensure a clear record. This order	
22	shall constitute leave to file a Second Amended Complaint for the above-mentioned purpose <u>only</u> .	
23	IT IS SO ORDERED.	
24	Dated: September 10, 2015 /s/ Lawrence J. O'Neill	
25	UNITED STATES DISTRICT JUDGE	
26		
27		
28		
20	2 STIPULATION TO STRIKE PORTIONS OF FIRST AMENDED COMPLAINT (1:15-cv-00633 LJO	