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7 Attorneys for Plaintiff,  
8 *ERNEST J. ESPINOZA, an individual*

9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

11 ERNEST J. ESPINOZA, an  
12 individual

13 Plaintiff,

14 v.

15 CALIFORNIA HIGHWAY  
16 PATROL, a government entity;  
17 STATE OF CALIFORNIA, a  
18 government entity; CITY OF  
19 BAKERSFIELD, a government  
20 entity; COUNTY OF KERN, a  
21 government entity; OFFICER MATT  
22 A. ASHE, an individual; and DOES  
23 1 through 20, inclusive,

24 Defendants.

Case No: 1:16-cv-00193-JLT

**ORDER GRANTING STIPULATION TO  
CONTINUE THE MID-DISCOVERY  
STATUS CONFERENCE**

**(Doc. 52)**

25 **TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF  
RECORD:**

26 **IT IS HEREBY STIPULATED**, by and through said parties and their  
27 counsel of record that the Mid-Discovery Status Conference, presently scheduled for  
28 April 10, 2017, be continued. Plaintiff has good cause to continue the Mid-  
Discovery Status Conference for the following reasons:

1. Gregory Peacock was Plaintiff's counsel of record while at Layfield & Barrett, APC but is no longer with the firm.
2. Gregory Peacock is erroneously listed with his new firm Bruno | Nalu on

- 1 the docket of this matter as counsel of record for Plaintiff, however  
2 Plaintiff's case never left Layfield & Barrett, APC.
- 3 3. Plaintiff will file concurrently with this stipulation a substitution of attorney  
4 form from Gregory Peacock to Joseph Barrett of Layfield & Barrett, APC  
5 to correct the court docket.
- 6 4. Further, Plaintiff was released from incarceration on March 6, 2017.
- 7 5. Since the date of Plaintiff's release, Plaintiff's counsel at Layfield &  
8 Barrett, APC has been unable to locate or communicate with Plaintiff even  
9 after numerous attempts to make contact, including sending letters to  
10 multiple addresses and calling multiple phone numbers for Plaintiff and his  
11 family members.
- 12 6. As a result, Plaintiff has been unable to provide verified responses to  
13 discovery propounded by Defendant.
- 14 7. On March 28, 2017, Plaintiff called Layfield & Barrett, APC and provided  
15 new contact information.
- 16 8. Plaintiff's counsel has conferred with opposing counsel and all parties  
17 agree to continue the Mid-Discovery Status Conference and corresponding  
18 deadline to submit Joint Statement.

19  
20 For the reasons above, all parties respectfully request that the court consider  
21 this stipulation and order that the Mid-Discovery Status Conference be continued, as  
22 Plaintiff has only recently been able to re-establish contact with counsel and  
23 Plaintiff's case is also currently undergoing a referral process.

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Dated: March 30, 2017

**LAYFIELD & BARRETT, APC**

By: \_\_\_/S/ Joseph Barrett

Joseph M. Barrett, Esq.  
*Attorneys for Plaintiff*  
**ERNEST J. ESPINOZA**

Dated: March 30, 2017

By: \_\_\_/S/ Kenny Nguyen

Kenny V. Nguyen, Esq.  
Deputy Attorney General  
Attorney for Defendant  
**OFFICER MATT A. ASHE**

**[PROPOSED] ORDER**

After giving due consideration to the above stipulation, the Court hereby continues the Mid-Discovery Status Conference, currently set for April 10, 2017 to May 8, 2017. The report SHALL be filed and lodged at least one week before the conference.

Counsel may appear via teleconference by dialing (888) 557-8511 and entering Access Code 1652736 provided they lodge an “Intent to appear telephonically” by email to [Shall@caed.uscourts.gov](mailto:Shall@caed.uscourts.gov) at least five days before the hearing.

IT IS SO ORDERED.

Dated: March 31, 2017

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE