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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

M.M., a minor, by and through her guardian DAVID EVANKOVICH,

Plaintiff,

v.

COUNTY OF KERN; KERN COUNTY SHERIFF’S DEPARTMENT; SCOTT WALL; DANIEL WILLIS; DENNIS COFFEE; and DOES 1 through 100, inclusive,

Defendants.

No. 1:16-cv-00376-DAD-JLT

STIPULATION AND ORDER STAYING ACTION

(Doc. No. 16)

This Stipulation is made between Plaintiff M.M., a minor, by and through her guardian David Evankovich (“Plaintiff”) and Defendants, County of Kern, Kern County Sheriff’s Office, Daniel Willis and Dennis Coffee (“County Defendants”) (Plaintiff and Defendants are collectively the “Parties”), by and through their respective attorneys of record.

1. Whereas, Plaintiff filed this action on March 17, 2016, against County Defendants and Defendant Scott Wall (“Wall”),
2. Whereas, County Defendants notified Plaintiff’s counsel on April 7, 2016 that Defendant Scott Wall is on overseas military deployment until September 8, 2016 and subject to the Servicemembers Civil Relief Act, the predecessor of which was the Soldier’s and Sailor’s

1 Civil Relief Act;

2 3. Whereas, counsel for the parties have met and conferred and possible alternatives
3 to remedy the issue; and

4 4. Whereas, counsel for the parties have concluded that in the best interests of all
5 parties, this Court is respectfully requested to stay all proceedings in this case until September 8,
6 2016, so that Defendant Wall can acquire legal representation on his behalf and provide a legal
7 response to the complaint. It is further respectfully requested that during the stay, the parties will
8 not conduct any discovery, and that the Court not set any scheduling conference prior to the
9 return of defendant Wall.

10 **NOW THEREFORE, IT IS HEREBY STIPULATED** between the parties, through
11 their attorneys of record, as follow:

12 This action shall be stayed until September 8, 2016 under the Servicemembers Civil
13 Relief Act, to allow Defendant Wall to return from overseas military deployment, authorize legal
14 representation, and legally appear in this action.

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16 Dated: April 28, 2016

THERESA A. GOLDNER, COUNTY COUNSEL

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By /s/ Andrew C. Thomson
Andrew C. Thomson, Deputy
Attorneys for Defendants County of Kern,
Kern County Sheriff's Department,
Daniel Willis & Dennis Coffee

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22 Dated: April 28, 2016

RODRIGUEZ & ASSOCIATES

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By /s/ Joseph Whittington
Joel T. Andreesen, Esq.
Joseph Whittington, Esq.
Attorneys for Plaintiff

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ORDER

Good cause appearing, this action shall be stayed until September 8, 2016 under the Servicemembers Civil Relief Act, to allow Defendant Wall to return from overseas military deployment, authorize legal representation, and legally appear in this action.

IT IS SO ORDERED.

Dated: May 1, 2016



UNITED STATES DISTRICT JUDGE