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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10 FRESNO DIVISION
11

12 **TIMOTHY J. DESMOND,**

13 Plaintiff,

14 v.
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16 **KAMALA HARRIS, in her Official
Capacity as Attorney General of the State of
California, et al.**

17 Defendants
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1:16-cv-01206-DAD-BAM

**STIPULATION AND [PROPOSED]
ORDER RE EXTENSION OF TIME TO
ANSWER OR OTHERWISE RESPOND
TO COMPLAINT**

(Local Rule 144 (a))

Courtroom: 5, 7th Floor
Judge: Hon. Dale A. Drozd
Action Filed: August 15, 2016

1 Plaintiff Timothy J. Desmond and Defendants Attorney General Kamala D. Harris, in her
2 official capacity, Secretary of Food and Agriculture Karen Ross, in her official capacity, Branch
3 Chief of the Fairs and Expositions Branch John Quiroz, in his official capacity, and Chief
4 Executive Officer of the 21st District Agricultural Association John Alkire, in his official capacity
5 (collectively, “Defendants” and with Plaintiff, collectively, “the Parties”), by and through their
6 respective counsel, hereby stipulate and agree as follows:

7 WHEREAS, on August 15, 2016, Plaintiff filed his Complaint;

8 WHEREAS, pursuant to stipulation and Order of this Court, ECF No. 26, the last day for
9 Defendants to answer or otherwise respond to Plaintiff’s Complaint currently is December 9,
10 2016;

11 WHEREAS, the Parties continue to engage in good faith in settlement discussions, believe
12 that they are close to reaching an agreement in principle, and hope to resolve this matter before
13 the Scheduling Conference currently scheduled for January 25, 2017;

14 WHEREAS the Parties have agreed that Defendants’ time to answer or otherwise respond
15 to the Complaint shall be extended by 30 days from the current filing deadline;

16 WHEREAS, three previous extensions of time have been sought;

17 THEREFORE, in consideration of the foregoing, it is hereby stipulated that:

18 Defendants’ last day to answer or otherwise respond to Plaintiff’s Complaint shall be
19 January 9, 2017

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21 Dated: December 6, 2016

Respectfully submitted,

22 KAMALA D. HARRIS
23 Attorney General of California
24 TAMAR PACHTER
Supervising Deputy Attorney General

25 */s/ Alexandra Robert Gordon*
26 ALEXANDRA ROBERT GORDON
27 Deputy Attorney General
28 *Attorneys for Defendants*

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Dated: December 6, 2016

By: STAMMER, MCKNIGHT, BARNUM &
BAILEY LLP

/s/ Bruce J. Berger
BRUCE J. BERGER
Attorneys for Plaintiff

Dated: December 6, 2016

By: CENTER FOR INDIVIDUAL RIGHTS

/s/ Michael E. Rosman
MICHAEL E. ROSMAN*
Attorneys for Plaintiff

ORDER

HAVING CONSIDERED THE STIPULATION OF THE PARTIES, AND GOOD CAUSE
APPEARING, **IT IS SO ORDERED.** No further extensions based upon settlement discussions
will be granted.

IT IS SO ORDERED.

Dated: December 7, 2016

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE