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8 *Attorneys for Defendants California Department of  
Corrections and Rehabilitation and Frauenheim*

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10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE EASTERN DISTRICT OF CALIFORNIA  
12

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14 **MARISOL VIVANCO, Individually and as  
Successor in Interest of SOLTON  
15 VIVANCO GONZALEZ (deceased),**

16 Plaintiff,

17 v.

18 **CALIFORNIA DEPARTMENT OF  
19 CORRECTIONS & REHABILITATION, et  
al.,**

20 Defendants.  
21

No. 1:17-cv-00434 LJO-BAM

**STIPULATION FOR TWENTY-DAY  
EXTENSION TO FILE RESPONSE TO  
FIRST AMENDED COMPLAINT;  
ORDER**

Action Removed/Filed: March 23, 2017  
Originally Filed: December 20, 2016

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23 Under Federal Rules of Civil Procedure 6(b) and 15(a)(3) and Local Rules 143 and 144, the  
24 parties, by and through their attorneys of record, stipulate to a twenty-day extension, up to and  
25 including August 15, 2017, for Defendants to respond to the first amended complaint. Good  
26 cause exists to grant this request because defense counsel requires more time to analyze the  
27 amended complaint and prepare the response.  
28

1           On June 13, 2017, the Court granted Defendants' motion to dismiss with leave to amend.  
2 (ECF No. 9.) Plaintiff filed her amended complaint on July 12, 2017. (ECF No. 11.) The current  
3 deadline for Defendants to respond to the amended pleading is July 26, 2017. *See* Fed. R. Civ. P.  
4 15(a)(3). Defense counsel requires more time to fully analyze the amended complaint, determine  
5 whether another dismissal motion is appropriate, or decide whether an answer is the best course  
6 and flush out any ambiguities in the pleading during discovery. She must then prepare the  
7 appropriate response. However, the attorney for the Defendants is currently in trial preparations,  
8 and has been since the amended complaint was filed. She is scheduled to start trial before Judge  
9 Mendez in *Cordero v. Guzman* (E.D. Cal. No. 2:13-cv-1515 JAM-KJN) on July 27, 2017. She  
10 will be unable to prepare the response until after her trial which is expected to last three to four  
11 days. For these reasons, the parties request a twenty-day extension for Defendants to respond to  
12 the amended complaint.

13  
14 Dated: July 25, 2017

Respectfully submitted,

15 XAVIER BECERRA  
16 Attorney General of California  
17 CHRISTOPHER J. BECKER  
Supervising Deputy Attorney General

18 */s/ Diana Esquivel*

19 DIANA ESQUIVEL  
20 Deputy Attorney General  
*Attorneys for Defendants*

21  
22 Dated: July 25, 2017

JESSE ORTIZ LAW

23 */s/ Nolan Berggren* (as authorized on  
24 7/25/17)

25 JESSE ORTIZ  
26 NOLAN BERGGREN  
*Attorneys for Plaintiff*

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**ORDER**

Based on the parties' stipulation and good cause appearing, the request for a twenty-day extension for Defendants to respond to the first amended complaint (ECF No. 11) is GRANTED.

Defendants shall file their response to the first amended complaint on or before August 15, 2017.

IT IS SO ORDERED.

Dated: July 26, 2017

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE