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7 *Attorneys for Defendants*  
*Myers, Neumann, Kanan, Cornish, Adams,*  
8 *California Correctional Health Care Services,*  
*Singh, California Department of Corrections and*  
9 *Rehabilitation, Kernan, Diaz, Mitchell, Fontanilla,*  
*Carrick, Hutchinson, and Ralston*

10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE EASTERN DISTRICT OF CALIFORNIA  
12 FRESNO DIVISION  
13

14  
15 **EDWINA DOTSON,**

16 Plaintiff,

17 v.

18 **CALIFORNIA CORRECTIONAL**  
19 **HEALTH CARE SERVICES, et al.,**

20 Defendants.  
21

1:17-cv-01199 AWI-BAM

**STIPULATION FOR EXTENSION OF  
TIME TO RESPOND TO FIRST  
AMENDED COMPLAINT**

**ORDER DIRECTING CLERK OF  
COURT TO UPDATE DOCKET TO  
REFLECT VOLUNTARY DISMISSAL  
OF CERTAIN DEFENDANTS**

22 In exchange for waivers of service for the newly named Defendants, California  
23 Correctional Health Care Services (CCHCS), California Department of Corrections and  
24 Rehabilitation (CDCR), Dr. Carrick, Secretary Diaz<sup>1</sup>, and Kelso, the parties have stipulated to  
25 extend the responsive pleading deadline for all Defendants until January 7, 2019.  
26

27 <sup>1</sup> Effective September 1, 2018, Secretary Diaz has assumed the position as Acting  
28 Secretary of CDCR. Under Federal Rule of Civil Procedure 25(d) Secretary Diaz is automatically  
substituted in Secretary Kernan's place in this official capacity lawsuit.

1 The parties further stipulate that the parties who have been omitted from the First Amended  
2 Complaint, are dismissed without prejudice, under Federal Rule of Civil Procedure  
3 41(a)(1)(A)(ii), including Defendants Myers, Neumann, Kanan, Cornish, Adams, Singh, Mitchell,  
4 Fontanilla, Hutchinson, and Ralston.

5 Based on these stipulations, the parties request that the Clerk terminate these omitted  
6 Defendants, as well as Secretary Kernan, from the docket.

7 **IT IS SO STIPULATED.**

8 Dated: November 13, 2018

/s/ **Kelli A. Samson** .

9 Kelly A. Samson  
10 Deputy Attorney General  
11 *Attorneys for Defendants*  
12 *Myers, Neumann, Kanan, Cornish, Adams,*  
*CCHCS, Singh, CDCR, Kernan, Diaz,*  
*Mitchell, Fontanilla, Carrick, Hutchinson,*  
*and Ralston*

13 Dated: November 9, 2018

/s/ **Martin H. Dodd** .

14 Martin H. Dodd  
15 Futterman Dupree Dodd Croley Maier LLP  
16 *Attorneys for Defendant*  
*Kelso*

17 Dated: November 12, 2018

/s/ **Kevin Love Hubbard** .

18 Kevin Love Hubbard  
19 Medina Orthwein LLP  
20 *Attorneys for Plaintiff*  
*Dotson*

21 ORDER

22 Pursuant to the parties' stipulation, and good cause appearing, IT IS HEREBY  
23 ORDERED that:

24 1. Defendants California Correctional Health Care Services (CCHCS), California  
25 Department of Corrections and Rehabilitation (CDCR), Deputy Medical Exec. Dr. Jeffrey  
26 Carrick, CDCR Secretary Ralph Diaz, and Federal Receiver J. Clark Kelso shall file a response to  
27 the First Amended Complaint on or before January 7, 2019;

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2. All other defendants are dismissed, without prejudice, by operation of law without further order from the Court. Fed. R. Civ. P. 41(a)(1)(A)(ii); and

3. The Clerk of the Court is directed to update the docket to reflect the foregoing, and to update the caption of this case as shown above.

IT IS SO ORDERED.

Dated: November 14, 2018

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE