

1 Robert L. Baumann, SBN 261665  
2 rbaumann@adamsferrone.com  
3 Adams, Ferrone and Ferrone APC  
4 4333 Park Terrace Drive, Suite 200  
Westlake Village, CA 91361  
Telephone: 805-373-5900  
Facsimile: 818-874-1382

5 Attorneys for Plaintiffs,  
6 BRYAN ROSSY, et al.

7 Scott J. Grossberg (Bar No. 123359)  
sgrossberg@grossberghoehn.com  
8 Laurel A. Hoehn (Bar No. 232946)  
lhoehn@grossberghoehn.com  
9 GROSSBERG & HOEHN  
10 1026 W. Foothill Blvd.  
Upland, CA 91786  
(909) 483-1850/Phone  
(909) 483-1840/Fax

12 Attorneys for Defendants  
13 CITY OF BISHOP, et al.

14 **UNITED STATES DISTRICT COURT**  
15 **EASTERN DISTRICT OF CALIFORNIA**

16 BRYAN ROSSY, MARK  
17 GUTIERREZ, JARED WAASDORP,  
and DOUGLAS MAIRS,

18 Plaintiffs,

19 vs.

20 CITY OF BISHOP, a public agency  
and/or municipal corporation; CHRIS  
21 CARTER, individually and as Police  
Chief; TED STEC, individually and as  
22 Police Chief; JIM TATUM,  
individually; PAT GARDNER,  
23 individually; and DOES 1 THROUGH  
10, inclusive,

24 Defendants.

25 } Case No. 1:17-cv-01244-LJO-SAB  
26 } Hon. Lawrence J. O'Neill

27 } **JOINT STIPULATION TO**  
28 } **CONTINUE MOTION TO**  
29 } **DISMISS;**

30 } Date: January 29, 2018  
31 } Time: 8:30 AM  
32 } Courtroom: 4

1 Plaintiffs Bryan Rossy, et al. (collectively “Plaintiffs”) and Defendants City  
2 of Bisop, et al. (collectively “Defendants”) by and through their counsel of record,  
3 hereby request a continuance of the Motion to Dismiss.

4 On December 4, 2017, the Defendants filed a Notice of Motion and Motion  
5 to Dismiss which is scheduled for hearing on January 29, 2018 at 8:30 a.m..  
6 Plaintiff’s opposition is due on January 15, 2018. During the last week of  
7 December 2017 and the first week of January 2018 Counsel for Plaintiff has been  
8 appearing on behalf of two colleagues due to medical and family emergencies and  
9 will need additional time to prepare Plaintiff’s opposition. Thus, both parties by  
10 and through their respective counsel, have agreed, and hereby request, that the  
11 Court continue the Motion to Dismiss currently set for January 29, 2018 at 8:30  
12 AM to February 19, 2018 at 8:30 AM in Courtroom 4.

13  
14 IT IS SO STIPULATED

15  
16 Dated: January 10, 2018

ADAMS FERRONE & FERRONE

17  
18 By: \_\_\_\_\_  
19 Robert L. Baumann  
20 Attorneys for Plaintiffs,  
BRYAN ROSSY, et al.

21  
22 Dated: January 10, 2018

GROSSBERG & HOEHN

23  
24 By: \_\_\_\_\_  
25 Scott J. Grossberg  
26 Laurel A. Hoehn  
27 Attorneys for Defendants  
CITY OF BISHOP, et al.  
28

## **ORDER**

After review of all papers and pleadings filed in connection with the motion, good cause appearing, the Court hereby accepts the Stipulation by the Parties. However, the agreed-upon new date for the hearing on the motion to dismiss (February 19, 2018) is a Federal Holiday, so the Motion to Dismiss is CONTINUED from January 29, 2018 to February 20, 2018 at 8:30 AM in Courtroom 4. The parties are informed that upon expiration of the reply deadline, the Court will review the papers and may take the matter under submission without oral argument. The Court will so inform the parties by Minute Order.

IT IS SO ORDERED.

Dated: January 10, 2018

/s/ Lawrence J. O'Neill  
UNITED STATES CHIEF DISTRICT JUDGE