

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

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

7 Scott J. Grossberg (Bar No. 123359)  
sgrossberg@grossberghoehn.com  
8 Laurel A. Hoehn (Bar No. 232946)  
lhoehn@grossberghoehn.com  
9 GROSSBERG & HOEHN  
1026 W. Foothill Blvd.  
10 Upland, CA 91786  
(909) 483-1850/Phone  
11 (909) 483-1840/Fax

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

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

16 BRYAN ROSSY, MARK  
GUTIERREZ, JARED WAASDORP,  
17 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  
26  
27  
28

Case No. 1:17-cv-01244-LJO-SAB

**JOINT STIPULATION TO  
CONTINUE SCHEDULING  
CONFERENCE; ORDER**

1 Plaintiffs Bryan Rossy, et al. (collectively "Plaintiffs") and Defendants City  
2 of Bishop, et al. (collectively "Defendants") by and through their counsel of  
3 record, hereby request a continuance of the Scheduling Conference.

4 On September 18, 2017, the Court issued an order setting a Scheduling  
5 Conference on December 4, 2017 at 2:15 p.m., which was subsequently continued  
6 after Plaintiffs filed a Motion to Continue the Scheduling Conference on  
7 November 22, 2017. The Court granted the motion on November 27, 2017,  
8 continuing the Scheduling Conference to February 6, 2018 at 3:30 p.m. On  
9 December 4, 2017 Defendants filed a Notice of Motion setting a Motion to  
10 Dismiss for January 29, 2018 at 8:30 a.m., which was subsequently continued  
11 after the Parties filed a Joint Stipulation to Continue on January 5, 2018. The  
12 Court issued an order on January 11, 2018 continuing the motion to February 20,  
13 2017 at 8:30 a.m.

14 According to page 7:1-11 of the court's order setting the scheduling  
15 conference: "[...] the Court is aware that in some situations the case is not  
16 procedurally in the posture for the Scheduling Conference to be held on the date  
17 initially set. Such situations include, but are not limited to, those in which all  
18 defendants have not yet been served or have not filed an answer to the complaint,  
19 the defendant has defaulted, or where there is a pending motion to dismiss." The  
20 Defendant's motion to dismiss will still be pending as Defendant's opposition is  
21 now due on February 6, 2018, the day of the continued Scheduling Conference.

22 Thus, both parties by and through their respective counsel, have agreed, and  
23 hereby request, that the Court continue the Scheduling Conference on February 6,  
24 2018 to after the Motion to Dismiss is heard.

25 ///

26 ///

27 ///

28 ///

1 IT IS SO STIPULATED

2  
3 Dated: January 17, 2018

ADAMS FERRONE & FERRONE

4  
5 By: /s/ \_\_\_\_\_  
6 Robert L. Baumann  
7 Attorneys for Plaintiffs,  
8 BRYAN ROSSY, et al.

9 Dated: January 17, 2018

GROSSBERG & HOEHN

10  
11 By: /s/ \_\_\_\_\_  
12 Scott J. Grossberg  
13 Laurel A. Hoehn  
14 Attorneys for Defendants  
15 CITY OF BISHOP, et al.

**ORDER**

16 After review of all papers and pleadings filed in connection with the  
17 motion, good cause appearing, the Court hereby accepts the Stipulation by the  
18 Parties and the Scheduling Conference is hereby continued from February 6, 2018  
19 to April 24, 2018 at 3:00 PM in Courtroom 9. A Joint Scheduling Conference  
20 Report is due one week before the new conference date.

21 IT IS SO ORDERED.

22 Dated: January 17, 2018

23   
24 \_\_\_\_\_  
25 UNITED STATES MAGISTRATE JUDGE