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FILED
 AUG 28 2018
 CLERK, U.S. DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 BY _____
 DEPUTY CLERK

8
 9 Attorney for
 NAUTILUS INSURANCE COMPANY

10 UNITED STATES DISTRICT COURT
 11 EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

13 NAUTILUS INSURANCE COMPANY,
 14
 Plaintiff,
 15
 v.

Case No. 1:18-CV-00206-LJO-EPG

**JOINT STIPULATION FOR PLAINTIFF
 NAUTILUS INSURANCE COMPANY TO
 FILE ITS FIRST AMENDED COMPLAINT;
 ORDER THEREON**

16 LA NUEVA ESTRELLA, LLC; JENNIFER
 17 JUDITH RIVERA NUNEZ, by and through
 her Guardian ad Litem Diafra Rivera Cruz;
 18 IMELDA RAMIREZ CARRILLO; MARIA
 19 LILIA RAMIREZ CARRILLO, individually
 and as Guardian ad Litem for ANAYELI
 20 PEREZ RAMIREZ and LUIS ANGEL
 PEREZ RAMIREZ, minors; ADELINA
 21 CAMPOS DE MORALES, individually and
 on behalf of the Estate of Jose Morales
 22 Campos, deceased; JOSE MORALES
 23 CAMPOS (son of decedent Jose Morales
 Campos); EVA MARIE TAMAYO; ANA I.
 24 LEYVA; FERNANDO MORALES
 25 CAMPOS; VICTOR ARTEAGA; VICTOR
 26 HERNANDEZ SANTOS; GIOVANNA
 VAZQUEZ MARTINEZ; CARMELO
 27 GONZALEZ SANCHEZ; FLORINA LOPEZ
 DE RUIZ; and MARIA CONSUELO
 28 OLIVARES OCHOA,

1 Defendants.

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TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

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5 PLEASE TAKE NOTICE that Plaintiff Nautilus Insurance Company ("Nautilus"), by
6 and through its attorneys of record Selman Breitman, LLP, Defendant La Nueva Estrella, LLC,
7 by and through their attorneys of record Arthofer & Tonkin, Defendant Jennifer Judith Rivera
8 Nunez, by and through her Guardian ad Litem Diafra Rivera Cruz, by and through her attorney
9 of record the Law Offices of Jake D. Finkel, APC, Defendants Imelda Ramirez Carrillo, Maria
10 Lilia Ramirez Carrillo, Anayeli Perez Ramirez, and Luis Angel Perez Ramirez (on behalf of
11 Fernando Ramirez, deceased, and Petra Carrillo, deceased), by and through their attorneys of
12 record Perez, Williams, Medina & Rodriguez, LLP, Defendants Adelina Campos de Morales,
13 individually and on behalf of the Estate of Jose Morales Bravo, Jose Morales Campos, Eva
14 Marie Tamayo, Ana I. Leyva, and Fernando Morales Campos (on behalf of Jose Morales Bravo,
15 deceased), by and through their attorney of record Shane Law, Defendants Victor Arteaga,
16 Victor Hernandez Santos, Giovanna Vazquez Martinez, Carmelo Gonzales Sanchez, Florina
17 Lopez de Ruiz, and Maria Consuelo Olivares Ochoa, by and through their attorneys of record
18 Law Offices of Brown & Gessell, (all parties are collectively, the "Parties"), hereby enter into
19 the following stipulation for Nautilus to file a First Amended Complaint.

20

RECITALS:

21

22 WHEREAS Defendant Jennifer Judith Rivera Nunez, by and through her Guardian ad
23 Litem Diafra Rivera Cruz, filed a Complaint on August 22, 2016 in Merced Superior Court, Case
24 No. 16CV-02493, styled *Rivera v. Autobuses Coordinados U.S.A., Inc., et al.*

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26 WHEREAS Defendants Imelda Ramirez Carrillo, Maria Lilia Ramirez Carrillo, Anayeli
27 Perez Ramirez and Luis Angel Perez Ramirez (on behalf of Fernando Ramirez, deceased and
28 Petra Carrillo, deceased), filed a Complaint on September 1, 2016 in Merced Superior Court,
Case No. 16CV-02569, styled *Carrillo, et al. v. Vasquez, et al.* Defendants also filed a separate
action in Merced Superior Court, Case No. 18CV-03019.

1 WHEREAS Defendants Adelina Campos de Morales, individually and on behalf of the
2 Estate of Jose Morales Bravo, Jose Morales Campos, Eva Marie Tamayo, Ana I. Leyva, and
3 Fernando Morales Compos (on behalf of Jose Morales Bravo, deceased), filed a Complaint on
4 September 23, 2016 in Merced Superior Court, Case No. 16CV-02876, styled *Campos v.*
5 *Autobuses.*

6 WHEREAS Defendants Victor Arteaga, Victor Hernandez Santos, Giovanna Vazquez
7 Martinez, Carmelo Gonzalez Sanchez, Florina Lopez de Ruiz, and Maria Consuelo Olivares
8 Ochoa, filed a Complaint on October 27, 2016 in Merced Superior Court, Case No. 16CV-
9 03274, styled *Arteaga, et al. v. Vasquez et al.*

10 WHEREAS Nautilus filed a Complaint on February 8, 2018 in United States District
11 Court, Eastern District of California – Fresno Division, Case No. 1:18-CV-00206-LJO-EPG,
12 styled *Nautilus Insurance Company v. La Nueva Estrella, LLC, et al.*

13 WHEREAS all counsel of record met and conferred on August 7, 2018, pursuant to
14 Federal Rules of Civil Procedure, Rule 26(f). On said date, all parties agreed that Nautilus may
15 file a First Amended Complaint to add certain parties involved in the underlying actions. The
16 proposed First Amended Complaint is attached to this stipulation as Exhibit A.

17 WHEREAS the parties agree to continue the initial scheduling conference from August
18 29, 2018 at 10:30 a.m. to October 22, 2018 at 9:30 a.m.

19 **STIPULATION:**

20 Based on the foregoing recitals, the Parties, by and through their respective attorneys of
21 record, hereby stipulate that Nautilus may file a First Amended Complaint in this action, and
22 request that the Court continue the initial scheduling conference in this matter to October 22,
23 2018, at 9:30 a.m.

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DATED: August 28, 2018

NATHANIEL S.G. BRAUN
SELMAN BREITMAN LLP

/s/ – Nathaniel Braun

By: _____
NATHANIEL S.G. BRAUN
Attorney for NAUTILUS INSURANCE
COMPANY

DATED: August 28, 2018

KENNETH B. ARTHOFER
ARTHOFER & TONKIN LAW OFFICES

/s/ – Kenneth Arthofer

By: _____
KENNETH B. ARTHOFER
Attorney for LA NUEVA ESTRELLA, LLC

DATED: August __, 2018

JAKE D. FINKEL
LAW OFFICES OF JAKE D. FINKEL, APC

By: _____
JAKE D. FINKEL
Attorney for JENNIFER JUDITH RIVERA
NUNEZ, by and through her Guardian ad Litem
Diafra Rivera Cruz

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DATED: August __, 2018

ANTONIO RODRIGUEZ, JR.
PEREZ WILLIAMS MEDINA RODRIGUEZ,
LLP

By: _____
ANTONIO RODRIGUEZ, JR.
Attorney for IMELDA RAMIREZ CARRILLO,
MARIA LILIA RAMIREZ CARRILLO,
ANAYELI PEREZ RAMIREZ, LUIS ANGEL
PEREZ RAMIREZ (on behalf of Fernando
Ramirez, deceased, and Petra Carrillo,
deceased)

DATED: August 28, 2018

DAVID R. SHANE
SHANE LAW

/s/ – David Shane
By: _____
DAVID R. SHANE
Attorney for ADELINA CAMPOS DE
MORALES, individual and on behalf of the
estate of Jose Morales Bravo, JOSE MORALES
CAMPOS, EVA MARIE TAMAYO, ANA I.
LEYVA, and FERNANDO MORALES
CAMPOS (on behalf of Jose Morales Bravo,
deceased)

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DATED: August __, 2018

DOUGLAS A. GESSELL
LAW OFFICES OF BROWN & GESSELL

By: _____
DOUGLAS A. GESSELL
Attorney for VICTOR ARTEAGA, VICTOR
HERNANDEZ SANTOS, GIOVANNA
VAZQUEZ MARTINEZ, CARMELO
GONZALES SANCHEZ, FLORINA LOPEZ
DE RUIZ, and MARIA CONSUELO
OLIVARES OCHOA

I attest that all electronic signatories listed above, and on whose behalf this stipulation is
submitted, concur in the stipulation's content and have authorized the filing of this stipulation.

DATED: August 28, 2018

SELMAN BREITMAN LLP

By: _____
/s/ – Nathaniel Braun
ALAN B. YUTER
NATHANIEL S.G. BRAUN
MICHAEL B. GELFOUND
Attorneys for Plaintiff NAUTILUS
INSURANCE COMPANY

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DATED: August __, 2018

NATHANIEL S.G. BRAUN
SELMAN BREITMAN LLP

By: _____
NATHANIEL S.G. BRAUN
Attorney for NAUTILUS INSURANCE
COMPANY


DATED: August __, 2018

KENNETH B. ARTHOFER
ARTHOFER & TONKIN LAW OFFICES

By: _____
KENNETH B. ARTHOFER
Attorney for LA NUEVA ESTRELLA, LLC

DATED: August 27, 2018

JAKE D. FINKEL
LAW OFFICES OF JAKE D. FINKEL, APC


By: 

JAKE D. FINKEL
Attorney for JENNIFER JUDITH RIVERA
NUNEZ, by and through her Guardian ad Litem
Diafra Rivera Cruz

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DATED: August 24, 2018

ANTONIO RODRIGUEZ, JR.
PEREZ WILLIAMS MEDINA RODRIGUEZ,
LLP

By: 
ANTONIO RODRIGUEZ, JR.
Attorney for IMELDA RAMIREZ CARRILLO,
MARIA LILIA RAMIREZ CARRILLO,
ANAYELI PEREZ RAMIREZ, LUIS ANGEL
PEREZ RAMIREZ (on behalf of Fernando
Ramirez, deceased, and Petra Carrillo,
deceased)

DATED: August , 2018

DAVID R. SHANE
SHANE LAW

By: _____
DAVID R. SHANE
Attorney for ADELINA CAMPOS DE
MORALES, individual and on behalf of the
estate of Jose Morales Bravo, JOSE MORALES
CAMPOS, EVA MARIE TAMAYO, ANA I.
LEYVA, and FERNANDO MORALES
CAMPOS (on behalf of Jose Morales Bravo,
deceased)

DATED: August , 2018

DOUGLAS A. GESSELL
LAW OFFICES OF BROWN & GESSELL

By: _____
DOUGLAS A. GESSELL
Attorney for VICTOR ARTEAGA, VICTOR
HERNANDEZ SANTOS, GIOVANNA
VAZQUEZ MARTINEZ, CARMELO
GONZALES SANCHEZ, FLORINA LOPEZ
DE RUIZ, and MARIA CONSUELO
OLIVARES OCHOA

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DATED: August __, 2018

ANTONIO RODRIGUEZ, JR.
PEREZ WILLIAMS MEDINA RODRIGUEZ,
LLP,

By: _____
ANTONIO RODRIGUEZ, JR.
Attorney for IMELDA RAMIREZ CARRILLO,
MARIA LILIA RAMIREZ CARRILLO,
individually and as Guardian ad Litem for
ANAYELI PEREZ RAMIREZ and LUIS
ANGEL PEREZ RAMIREZ, minors (Fernando
Ramirez, deceased, and Petra Carrillo,
deceased)


DATED: August __, 2018

DAVID R. SHANE
SHANE LAW

By: _____
DAVID R. SHANE
Attorney for ADELINA CAMPOS DE
MORALES, JOSE MORALES CAMPOS,
EVA MARIE TAMAYO, ANA I. LEYVA, and
FERNANDO MORALES CAMPOS (on behalf
of Jose Morales Bravo, deceased)

DATED: August 27, 2018

DOUGLAS A. GESSELL
LAW OFFICES OF BROWN & GESSELL

By:  _____
ALAN B. VITER *Douglas GesSELL*
Attorney for VICTOR ARTEAGA, VICTOR
HERNANDEZ SANTOS, GIOVANNA
VAZQUEZ MARTINEZ, CARMELO
GONZALES SANCHEZ, FLORINA LOPEZ
DE RUIZ, and MARIA CONSUELO
OLIVARES OCHOA

1 **ORDER**

2 Having considered the stipulation of all the parties to this action, the Court finds that
3 good cause exists to approve the stipulation and that Nautilus is granted leave to file its proposed
4 First Amended Complaint in this action, with said complaint to be filed within seven (7) days of
5 service of this order.

6 The initial scheduling conference is continued from August 29, 2018 at 10:30 a.m. to
7 October 22, 2018 at 9:30 a.m. The Court grants telephonic appearances, with each party
8 directed to use the following dial-in number and passcode: **1-888-251-2909; passcode**
9 **1024453**. The parties are to file a joint scheduling report one full week prior to the conference
10 and email a copy of same, in Word format, to epgorders@caed.uscourts.gov, for the Judge's
11 review.

12 IT IS SO ORDERED.

13 DATED: 8/28/2018

14 
15 ERICA P. GROSJEAN
16 UNITED STATES MAGISTRATE JUDGE