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8 Attorneys for CITY OF FRESNO

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11)	Case 1:18-cv-00438-AWI-BAM
12	DAVID PHILLIPS-KERLEY,)	
13	Plaintiff,)	STIPULATION TO EXTEND DEADLINE
14	vs.)	TO FILE A RESPONSIVE PLEADING
15	CITY OF FRESNO FIRE)	ON BEHALF OF THE CITY OF
16	DEPARTMENT; and DOES 1 to 10,)	FRESNO
17	inclusive,)	(FRCP Rule 15(a)(3))
18	Defendants.)	
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1 IT IS HEREBY STIPULATED AND AGREED, by and between the parties,
2 through their respective counsel of record, as follows:

3 1. The Court issued its ruling on the City=s motion to dismiss as to Plaintiff=s
4 First Amended Complaint on October 19, 2018.

5 2. Plaintiff=s prior counsel filed a motion to withdraw in November 2018,
6 which was granted on January 18, 2019.

7 3. The Court consented to the substitution of successor counsel for Plaintiff
8 on February 7, 2019.

9 4. Successor=s counsel filed a Second Amended Complaint on April 25,
10 2019, which includes nine causes of action for constitutional and statutory violations.

11 5. Counsel for the City has a scheduled vacation during the time in which to
12 respond to the new pleading.

13 6. Thus, it is respectfully requested that the City of Fresno have until May 24,
14 2019, in which to file a responsive pleading.

15

16 Respectfully requested,

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18 Dated: May 2, 2019

BETTS & RUBIN

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By /s/ Joseph D. Rubin
Joseph D. Rubin
Attorneys for Defendant CITY OF FRESNO

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22 Dated: May 2, 2019

PUBLIC EMPLOYEES

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LEGAL, LLP

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By /s/ Ronald Ackerman
Ronald Ackerman
Attorneys for Plaintiff David Phillips-Kerley

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ORDER

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Pursuant to the stipulation of the parties, and good cause appearing, IT IS
HEREBY ORDERED that Defendant City of Fresno has until May 24, 2019 in which to
file a responsive pleading to the second amended complaint. No further extensions of
time will be granted absent a demonstrated showing of good cause.

IT IS SO ORDERED.

Dated: May 2, 2019

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE