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7 Attorneys for Plaintiffs
8 ESTATE OF FRANK CARSON; GEORGIA DEFILIPPO; CHRISTINA DEFILIPPO; &
9 EDUARDO QUINTANAR, JR.

10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA

12 ESTATE OF FRANK CARSON AND
13 GEORGIA DEFILIPPO, as an individual
and as successor in interest to FRANK
14 CARSON,
15 Plaintiffs,
16 vs.
17 COUNTY OF STANISLAUS, CITY OF
18 MODESTO, BIRGIT FLADAGER,
MARLISSA FERREIRA, DAVID HARRIS;
19 KIRK BUNCH, STEVE JACOBSON, JON
EVERS, CORY BROWN, and DOES 1-25,
20 inclusive,
21 Defendants.

Case No. 1:20-CV-00747-TLN-BAM
**JOINT STIPULATION AND
ORDER TO CONTINUE OPPOSITION
AND REPLY DATES IN CONNECTION
WITH DEFENDANTS' MOTIONS TO
DISMISS**
Related to:
1:15-cv-00311-TLN-BAM (Athwal)
1:20-cv-00770-TLN-BAM (Wells/McFarlane)

22 GEORGIA DEFILIPPO AND CHRISTINA
23 DEFILIPPO,
24 Plaintiffs,
25 vs.
26 COUNTY OF STANISLAUS, et al.

Case No. 1:18-cv-00496-TLN-BAM

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Defendants.
EDUARDO QUINTANAR, JR.,
Plaintiff,
vs.
COUNTY OF STANISLAUS, et al.
Defendants.

Case No. 1:18-cv-01403-TLN-BAM

On November 13, 2020, the Honorable Judge Nunley consolidated this matter with related cases *DeFilippo, et al v. Stanislaus et al*, USDC No. 1:18-cv-00496; *Quintanar v. Stanislaus, et al*, USDC No. 1:18-cv-01403; *Wells, et al v. Stanislaus et al*, USDC No. 1:20-cv-00770; and *Athwal, et al v. Stanislaus et al* USDC No. 1:15-cv-0031, for discovery purposes (Docket #23 of *Carson, et al.*). The parties in these matters filed a stipulation and proposed order continuing the respective opposition and reply dates in relation to the Defendants' Motions to Dismiss, in related case *Athwal et al v. Stanislaus et al*, USDC No. 1:15-cv-0031 (Docket #175). That stipulation, attached here as **Exhibit A**, is a true and accurate copy of the parties' Joint Stipulation and Proposed order to continue dates in all of the related cases.

DATE: February 1, 2022

GWILLIAM, IVARY, CHIOSSO, CAVALLI & BREWER

/s/ Angelina M. Austin

J. Gary Gwilliam
Randall E. Strauss
Jayme L. Walker
Angelina m. Austin
Attorneys for Plaintiff
FRANK CARSON

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Exhibit A

JOINT STIP. AND ORDER TO CONT. OPP.
AND REPLY DATES IN CONNECTION
WITH DEFS' MTDs

CASE No. 1:20-cv-00747-TLN-BAM

CASE No. 1:18-cv-00496-TLN-BAM

CASE No. 1:18-cv-01403-TLN-BAM

1 ARTURO J. GONZALEZ (CA SBN 121490)
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8 Attorneys for Plaintiffs
9 BALJIT ATHWAL, DALJIT ATWAL, WALTER W. WELLS
and SCOTT McFARLANE

11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 BALJIT ATHWAL and DALJIT ATWAL,

14 Plaintiffs,

15 v.

16 COUNTY OF STANILSAUS; CITY OF
17 TURLOCK; CITY OF MODESTO; CITY OF
CERES; STANISLAUS COUNTY OFFICE OF
18 THE DISTRICT ATTORNEY; KIRK BUNCH;
JON EVERS; TIMOTHY REDD; DALE
19 LINGERFELT; STEVE JACOBSON; BIRGIT
FLADAGER; GALEN CARROLL;

20 Defendants.

23 WALTER W. WELLS and SCOTT
MCFARLANE

24 Plaintiffs,

25 v.

26 COUNTY OF STANISLAUS, ET AL.

27 Defendants.

Case No. 1:15-cv-00311-TLN-BAM

**JOINT STIPULATION AND
[PROPOSED] ORDER TO
CONTINUE OPPOSITION AND
REPLY DATES IN CONNECTION
WITH DEFENDANTS' MOTIONS
TO DISMISS**

Hon. Troy L. Nunley

Trial: None Set

Related to:
CASE NO. 1:20-CV-00770-TLN-BAM
CASE NO. 1:20-CV-00747-TLN-BAM
CASE NO. 1:18-cv-00496-TLN-BAM
CASE NO. 1:18-cv-01403-TLN-BAM

Case No. 1:20-cv-00770-TLN-BAM

1 Defendants COUNTY OF STANISLAUS; CITY OF MODESTO; CITY OF TURLOCK;
 2 CITY OF CERES; STANISLAUS COUNTY OFFICE OF THE DISTRICT ATTORNEY;
 3 BIRGIT FLADAGER; MARLISSA FERREIRA; DAVID HARRIS; KIRK BUNCH; STEVE
 4 JACOBSON; CORY BROWN; JON EVERS; TIMOTHY REDD; DALE LINGERFELT;
 5 GALEN CARROL; FROLIAN MARISCAL; LLOYD MCKINNON; GREG JONES;
 6 KENNETH BARRINGER; GALEN CARROLL; FRANK NAVARRO; and TIMOTHY REDD
 7 (“Defendants”) and Plaintiffs ESTATE OF FRANK CARSON; GEORGIA DEFILIPPO;
 8 CHRISTINA DEFILIPPO; EDUARDO QUINTANAR, JR.; BALJIT ATHWAL; DALJIT
 9 ATHWAL; WALTER WELLS; and SCOTT MCFARLANE (“Plaintiffs”) through their
 10 respective counsel, hereby agree and stipulate as follows:

- 11 1. WHEREAS Plaintiffs have been served with multiple separate motions to dismiss;
- 12 2. WHEREAS Plaintiffs would like additional time to confer with Defendants and
 13 possibly dismiss certain claims against certain Defendants;
- 14 3. All parties agree that the deadline for opposing Defendants’ motions to dismiss be
 15 continued to April 11, 2022;
- 16
 17 4. Defendants’ reply briefs shall be filed no later than May 26, 2022.

18 The stipulated briefing schedule is as follows:

19 Plaintiffs’ Oppositions to Defendants’ FRCP 20 12(b)(6) motions to dismiss	April 11, 2022
21 Defendants’ Replies (if any)	May 26, 2022
22 Proposed hearing date	June 9, 2022 at 2 p.m.

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Respectfully submitted,

Dated: February 1, 2022

ARTURO J. GONZÁLEZ
JESSICA L. GRANT
MATTHEW CHIVVIS
ROBERT S. SANDOVAL
MEREDITH L. ANGUEIRA
MORRISON & FOERSTER LLP

By: /s/ Arturo J. González
ARTURO J. GONZÁLEZ

Attorneys for Plaintiffs
BALJIT ATHWAL, DALJIT ATWAL,
WALTER WELLS, AND SCOTT
MCFARLANE

Dated: February 1, 2022

ALLEN, GLAESSNER, HAZELWOOD &
WERTH, LLP

By: */s/ Patrick Moriarty
DALE L. ALLEN, JR.
PATRICK D. MORIARTY
JOHN B. ROBINSON

Attorneys for Defendants
CITY OF MODESTO, JON EVERS, and
GALLEN CARROLL

Dated: February 1, 2022

GWILLIAM, IVARY, CHIOSSO, CAVALLI
& BREWER

By: */s/ Angelina Austin
J. Gary Gwilliam
Randall E. Strauss
Jayme L. Walker
Angelina M. Austin

Attorneys for Plaintiffs
ESTATE OF FRANK CARSON, GEORGIA
DEFILIPPO, CHRISTINA DEFILIPPO AND
EDUARDO QUINTANAR, JR.

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Dated: February 1, 2022

PORTER SCOTT
A PROFESSIONAL CORPORATION

By: */s/ John Whitefleet
John R. Whitefleet

Attorneys for Defendants
COUNTY OF STANISLAUS, STANISLAUS
COUNTY OFFICE OF THE DISTRICT
ATTORNEY, BIRGIT FLADAGER,
MARLISSA FERRIERA, DAVID HARRIS,
KIRK BUNCH, STEVE JACOBSON, CORY
BROWN, DALE LINGERFELT, FROLIAN
MARISCAL, LLOYD MACKINNON, GREG
JONES, KENNETH BARRINGER

Dated: February 1, 2022

ARATA SWINGLE VAN EGMOND &
HEITLINGER

By: */s/ Bradley Swingle
Bradley J. Swingle

Attorneys for Defendants
CITY OF TURLOCK, CITY OF CERES,
FRANK NAVARRO, AND TIMOTHY
REDD

** Parties have consented to use of their electronic signature.*

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[PROPOSED] ORDER

Pursuant to the stipulation of the parties:

The stipulated briefing schedule is as follows:

Plaintiffs' Oppositions to Defendants' FRCP 12(b)(6) motions to dismiss	April 11, 2022
Defendants' Replies (if any)	May 26, 2022
Proposed hearing date	June 9, 2022 at 2 p.m.

IT IS SO ORDERED.

Dated: _____, 2022

By: _____
District Judge Troy L. Nunley

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ORDER


Pursuant to the stipulation of the parties:

The briefing schedule is as follows:

Plaintiffs' Oppositions to Defendants' FRCP 12(b)(6) motions to dismiss	April 11, 2022
Defendants' Replies (if any)	May 26, 2022
Hearing date	June 16, 2022, at 2 p.m.

IT IS SO ORDERED.

Dated: February 1, 2022



Troy L. Nunley
United States District Judge