

GWILLIAM IVARY CHIOSSO CAVALLI & BREWER
ATTORNEYS AT LAW
A Professional Corporation
1999 Harrison St., Suite 1600, Oakland, CA 94612

1 J. Gary Gwilliam, Esq. (State Bar No. 33430)
Randall E. Strauss, Esq. (State Bar No. 168363)
2 Jayme L. Walker, Esq. (State Bar No. 273159)
Angelina M. Austin, Esq. (State Bar No. 336250)
3 GWILLIAM, IVARY, CHIOSSO, CAVALLI & BREWER
1999 Harrison Street, Suite 1600
4 Oakland, CA 94612-3528
Telephone: (510) 832-5411
5 Facsimile: (510) 832-1918
Email: ggwilliam@giccb.com; rstrauss@giccb.com; jwalker@giccb.com,
6 aaustin@giccb.com

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

10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA

12
13 ESTATE OF FRANK CARSON AND
GEORGIA DEFILIPPO, as an individual and
14 as successor in interest to FRANK CARSON,
15
Plaintiffs,
16
vs.
17
18 COUNTY OF STANISLAUS, CITY OF
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
THE SECOND AMENDED COMPLAINT OF
THE ESTATE OF FRANK CARSON AND
THE THIRD AMENDED COMPLAINTS OF
GEORGIA DEFILIPPO, CHRISTINA
DEFLIPPO, AND EDUARDO QUINTANAR**

22
23 GEORGIA DEFILIPPO AND CHRISTINA
DEFILIPPO,
24
Plaintiffs,
25
vs.
26
27 COUNTY OF STANISLAUS, CITY OF
MODESTO, BIRGIT FLADAGER,
MARLISSA FERREIRA, DAVID HARRIS;
28

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

1 KIRK BUNCH, STEVE JACOBSON, JON
 2 EVERS, CORY BROWN, and DOES 1-25,
 3 inclusive,
 4 Defendants.

5 EDUARDO QUINTANAR, JR.,
 6 Plaintiffs,
 7 vs.
 8 COUNTY OF STANISLAUS, CITY OF
 9 MODESTO, BIRGIT FLADAGER,
 10 MARLISSA FERREIRA, DAVID HARRIS;
 11 KIRK BUNCH, STEVE JACOBSON, JON
 12 EVERS, CORY BROWN, and DOES 1-25,
 13 inclusive,
 14 Defendants.

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

14 Plaintiffs ESTATE OF FRANK CARSON; GEORGIA DEFILIPPO; CHRISTINA
 15 DEFILIPPO; EDUARDO QUINTANAR, JR.; (“Plaintiffs”); and defendants COUNTY OF
 16 STANISLAUS; BIRGIT FLADAGER; MARLISSA FERREIRA; DAVID HARRIS; KIRK
 17 BUNCH; STEVE JACOBSON; and CORY BROWN; (“Defendants”) through their respective
 18 counsel, hereby agree and stipulate as follows:

- 19 1. WHEREAS Plaintiffs have been served with three separate Motions to Dismiss;
- 20 2. WHEREAS Angelina M. Austin, co-counsel for Plaintiffs CARSON; the
 21 DEFILIPPOES; and QUINTANAR, has suffered an injury delaying her ability to properly
 22 oppose the motions at issue;
- 23 3. All parties agree that the deadline for opposing Defendants’ motions to dismiss be
 24 continued to January 13, 2023;
- 25 4. Defendants’ Reply Briefs shall be filed no later than March 3, 2023.
- 26 5. That the Hearing for the Motions to Dismiss presently set for February 9, 2023 be
 27 continued to March 9, 2023 at 2:00 p.m.

1 The stipulated briefing schedule is as follows:

3 Plaintiffs' Opposition to Defendants' FRCP	January 13, 2023
4 12(b)(6) Motions to Dismiss	
5 Defendants' Replies (if any)	March 3, 2023
6 Hearing Date	March 9, 2023 at 2:00p.m.

7
8 IT IS SO STIPULATED.

9
10 DATE: December 22, 2022

GWILLIAM, IVARY, CHIOSSO, CAVALLI & BREWER

11
12 /s/ Angelina M. Austin

13 J. Gary Gwilliam
14 Randall E. Strauss
15 Jayme L. Walker
16 Angelina M. Austin
17 Attorneys for Plaintiffs
ESTATE OF FRANK CARSON , GEORGIA
DEFILIPPO, CHRISTINA DEFILIPPO AND
EDUARDO QUINTANAR, JR.

18 DATE: December 22, 2022

PORTER SCOTT

A PROFESSIONAL CORPORATION

19
20 /s/ John R. Whitefleet*

21 John R. Whitefleet
22 Attorneys for Defendants
23 COUNTY OF STANISLAUS, STANISLAUS
24 COUNTY OFFICE OF THE DISTRICT
25 ATTORNEY, BIRGIT FLADAGER, MARLISSA
26 FERRIERA, DAVID HARRIS, KIRK BUNCH,
27 STEVE JACOBSON, CORY BROWN

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

ORDER

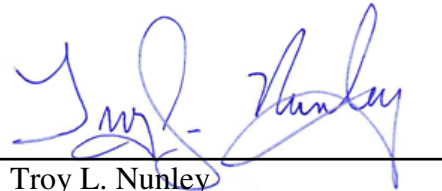
Pursuant to the stipulation of the parties:

The stipulated briefing schedule is as follows:

Plaintiffs' Opposition to Defendants' FRCP 12(b)(6) Motions to Dismiss	January 13, 2023
Defendants' Replies (if any)	March 3, 2023
Hearing Date	March 9, 2023, at 2:00 p.m.

IT IS SO ORDERED.

Dated: December 27, 2022



Troy L. Nunley
United States District Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28