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10 Attorneys for Defendants CITY OF MODESTO  
and JON EVERS

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**UNITED STATES DISTRICT COURT**

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**EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

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15 GEORGIA DEFILIPPO AND CHRISTINA  
DEFILIPPO,

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Plaintiffs,

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v.

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19 COUNTY OF STANISLAUS, CITY OF  
MODESTO, CITY OF TURLOCK, CITY OF  
CERES, BIRGIT FLADAGER, MARLISSA  
20 FERREIRA, KIRK BUNCH, STEVE  
JACOBSON, DALE LINGERFELT,  
21 FROILAN MARISCAL, LLOYD  
MACKINNON, JON EVERS, DEREK  
22 PERRY, CORY BROWN, GREG JONES,  
TIMOTHY REDD, KENNETH  
23 BARRINGER, FRANK NAVARRO, and  
DOES 1-10, inclusive,

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Defendants.

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Case No. 1:18-cv-00496-AWI-EPG

**STIPULATION AND [PROPOSED]  
ORDER GRANTING DEFENDANTS AN  
EXTENSION OF TIME TO RESPOND TO  
COMPLAINT**

Trial Date: None Set

1 Plaintiffs Georgia DeFilippo and Christina DeFilippo (“Plaintiffs”), and Defendants City  
2 of Modesto and Jon Evers (“Modesto Defendants”) hereby agree and stipulate as follows:

3 1. This action was filed on April 10, 2018.

4 2. The Modesto Defendants were served with a copy of the complaint on May 11,  
5 2018.

6 3. The Modesto Defendants response to the complaint is currently due on June 1,  
7 2018 (the “Response Deadline”).

8 4. The Modesto Defendants requested a continuance of the Response Deadline from  
9 Plaintiffs, representing that their counsel for this case were busy with other matters that would  
10 prevent them from responding to the complaint by June 1, 2018.

11 5. Plaintiffs responded that, in addition to being amenable to the requested extension  
12 sought by the Modesto Defendants, Plaintiffs believe that this action should be stayed while a  
13 related criminal case involving some of the same facts as the present action is pending, which case  
14 will implicate and hinder discovery in the present action (the “Related Pending Criminal Case”).

15 6. The Modesto Defendants are amenable to a stay of this action due to the Related  
16 Pending Criminal Case should Plaintiffs seek such a stay in this action.

17 7. Although a stay of this case may subsequently be sought by Plaintiffs and the other  
18 parties in this case, due to the upcoming Response Deadline, Plaintiffs and the Modesto  
19 Defendants agree that the Modesto Defendants shall have until **August 31, 2018** to file a  
20 responsive pleading to Plaintiffs’ complaint.

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IT IS SO STIPULATED.

DATED: May 30, 2018 MEYERS, NAVE, RIBACK, SILVER & WILSON

By:         /s/ David Mehretu          
David Mehretu  
Attorneys for Defendants City of Modesto and Jon Evers

DATED: May 30, 2018 GWILLIAM, IVARY, CHIOSSO, CAVALLI & BREWER

By:         /s/ J. Gary Gwilliam          
J. Gary Gwilliam  
Attorney for Plaintiffs Georgie DeFilippo and Christina DeFilippo

The filer, David Mehretu, attests that all other signatories listed on whose behalf this filing is submitted concur in the filing's content and have authorized the filing.

**ORDER**

Pursuant to the parties' stipulation, the time for the Modesto Defendants to respond to the complaint is extended to August 31, 2018.

IT IS SO ORDERED.

Dated:         **May 30, 2018**        

        /s/ Eric P. Gray          
UNITED STATES MAGISTRATE JUDGE