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18 and SCOTT McFARLANE

19 UNITED STATES DISTRICT COURT
20 EASTERN DISTRICT OF CALIFORNIA

21 ESTATE OF FRANK CARSON AND
22 GEORGIA DEFILIPPO, as an individual
and as successor in interest to FRANK
23 CARSON,
24 Plaintiffs,
25 vs.
26 COUNTY OF STANISLAUS, CITY OF
27 MODESTO, BIRGIT FLADAGER,
MARLISSA FERREIRA, DAVID HARRIS;
28

Case No. 1:20-CV-00747-TLN-BAM
**JOINT STIPULATION AND ORDER TO
CONTINUE AMENDED COMPLAINT
FILING DATE**
Related to:
1:15-cv-00311-TLN-BAM (Athwal)
1:20-cv-00770-TLN-BAM (Wells)

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

6 GEORGIA DEFILIPPO AND CHRISTINA
 7 DEFILIPPO,
 8
 9 Plaintiffs,
 10 vs.
 11 COUNTY OF STANISLAUS, ET AL.
 12
 13 Defendants.

14 EDUARDO QUINTANAR, JR.,
 15
 16 Plaintiffs,
 17 vs.
 18 COUNTY OF STANISLAUS, ET AL.
 19
 20 Defendants.

21 BALJIT ATHWAL and DALJIT ATWAL,
 22 Plaintiffs,
 23 vs.
 24 COUNTY OF STANILSAUS; CITY OF
 25 TURLOCK; CITY OF MODESTO; CITY
 26 OF CERES; STANISLAUS COUNTY
 27 OFFICE OF THE DISTRICT ATTORNEY;
 28 KIRK BUNCH; JON EVERS; TIMOTHY
 REDD; DALE LINGERFELT; STEVE
 JACOBSON; BIRGIT FLADAGER;
 GALEN CARROLL; PAUL EDWARD
 JONES
 Defendants.

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

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

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

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WALTER W. WELLS and SCOTT
MCFARLANE

Plaintiffs,

vs.

COUNTY OF STANISLAUS, ET AL.

Defendants.

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

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

1. WHEREAS on September 29, 2021, the Honorable Judge Nunley dismissed plaintiffs’ complaints with leave to file an amended complaint within 30 days;
2. WHEREAS Plaintiffs’ amended complaint is presently due for filing on October 28, 2021;
3. WHEREAS the Honorable Judge Nunley issued the order to dismiss with leave to amend while counsel for Plaintiffs CARSON, the DEFILIPPOES and QUINTANAR were engaged in a month-long trial;
4. WHEREAS Jayme L. Walker, the lead attorney for Plaintiffs CARSON; the DEFILIPPOES; and QUINTANAR, is currently on maternity leave;
5. WHEREAS Plaintiffs’ law firm has a conflicting filing deadline pertaining to a writ of mandamus in another action;

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STEVE JACOBSON, CORY BROWN, DALE
LINGERFELT, FROLIAN MARISCAL, LLOYD
MACKINNON, GREG JONES, KENNETH
BARRINGER

DATE: October 25, 2021

ALLEN, GLAESSNER, HAZELWOOD & WERTH, LLP

*/s/ Patrick Moriarty **

John B. Robinson
Patrick Moriarty
Attorneys for Defendants
CITY OF MODESTO, JON EVERS, AND GALEN
CARROLL

DATE: October 25, 2021

ARATA SWINGLE VAN EGMOND & HEITLINGER

*/s/ Bradley J. 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.*

ORDER

Pursuant to the stipulation of the parties:

1. The deadline for Plaintiffs to file an Amended Complaint is continued to
November 18, 2021.

2. The Defendants' responsive pleading shall be filed no later than 30 days after
service of the plaintiffs' Amended Complaint.

1 **IT IS SO ORDERED.**

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4 Dated: October 26, 2021

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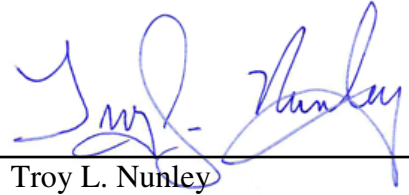
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Troy L. Nunley
United States District Judge