anai, Ji.	v. County of Stanislaus et al		Do
2 3	PORTER SCOTT A PROFESSIONAL CORPORATION John R. Whitefleet, SBN 213301 350 University Ave., Suite 200 Sacramento, California 95825 TEL: 916.929.1481		
	FAX: 916.927.3706		
6	Attorneys for Defendant COUNTY OF STANISLAUS UNITED STATES DISTRICT COURT		
7			
8	EASTERN D	ISTRICT OF CALIFORNIA	
	BALJIT ATHWAL, et al.,	CASE NO. 1:15-cv-00311-TLN-BAM	
10	Plaintiffs,	STIPULATION AND ORDER TO	
11	v.	CONSOLIDATE FOR PURPOSES OF DISCOVERY	
12	COUNTY OF STANISLAUS, et al.,		
13	Defendants.		
14	/		
	GEORGIA DEFILIPPO, et al.,		
17	Plaintiffs,	CASE NO. 1:18-cv-00496-TLN-BAM	
18	V.		
19	COUNTY OF STANISLAUS, et al.,		
20	Defendants.		
21	/		
	EDUARDO QUINTANAR, JR.		
23	Plaintiff,	CASE NO. 1:18-cv-01403-TLN-BAM	
24 25	V.		
23	COUNTY OF STANISLAUS, et al.,		
27	Defendants.		
28	/		
-	STIPULATION TO CONSO	1	

1	FRANK CARSON, CASE NO. 1:20-cv-00747-TLN-BAM			
2	Plaintiff,			
3	v.			
4	COUNTY OF STANISLAUS, et al.,			
5	Defendants.			
6	/			
7	WALTER W. WELLS, et al.,			
8	CASE NO. 1:20-cv-00770-TLN-BAM Plaintiffs,			
9				
10	v.			
11	COUNTY OF STANISLAUS, et al.,			
12	Defendants.			
13	/			
14	The parties submit the following Stipulation to Consolidate the above matters for purposes of			
15	discovery:			
16	The above cases all arise out of the investigation into the murder of Korey Kauffman, and			
17	prosecution of criminal charges against each of the Plaintiffs.			
18	On February 26, 2015, Plaintiffs Baljit Athwal, Navneet Athwal and Daljit Atwal filed the First-			
19	Filed Action against the County of Stanislaus, City of Turlock, City of Modesto, City of Ceres, the			
20	Stanislaus County Office of the District Attorney, Kirk Bunch, Jon Evers, Timothy Redd, Dale			
21	Lingerfelt, Steve Jacobson, Birgit Fladager, Galen Carroll, and Paul Edward Jones, asserting			
22	constitutional violations during Defendants' investigation of the murder of Korey Kauffman, including			
23	their arrest pursuant to warrant. The matter was stayed pending the resolution of the criminal			
24	proceedings. Following an acquittal on June 28, 2019, the stay was lifted and on September 26, 2019,			
25	plaintiffs sought leave to amend to add malicious prosecution claims, and that motion was granted in			
26	Document 85, on July 28, 2020.			
27	On April 10, 2018, Plaintiffs Georgia DeFilippo and Christina DeFilippo filed an action against			
28	the County of Stanislaus, City of Turlock, City of Modesto, City of Ceres, Birgit Fladager, Marlissa			

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1 Ferreira, Kirk Bunch, Steve Jacobson, Dale Lingerfelt, Froilan Mariscal, Llloyd MacKinnon, Jon Evers, 2 Derek Perry, Cory Brown, Greg Jones, Timothy Redd, Kenneth Barringer and Frank Navarro, asserting 3 constitutional violations as arising from investigation of the murder of Korey Kauffman, including their 4 arrest pursuant to warrant, and malicious prosecution following the dismissal of the charges against 5 them. This case was stayed pending resolution of the criminal charges against others, which was lifted 6 following acquittals in June 2019. On May 21, 2020, Plaintiffs were granted leave to amend, and a First 7 Amended Complaint was filed. Defendants have moved to dismiss which is pending.

8 On October 11, 2018, Plaintiff Eduardo Quintanar Jr, filed an action against County of Stanislaus, City of Modesto, Birgit Fladager, Marlissa Ferreira, Kirk Bunch, Steve Jacobson, Cory Brown, and Jon Evers asserting constitutional violations as arising from investigation of the murder of Korey Kauffman, including his arrest pursuant to warrant, and malicious prosecution following the dismissal of the charges against him. This case was stayed pending resolution of the criminal charges against others, which was lifted following acquittals in June 2019. Defendants moved to dismiss the Complaint and in response, Plaintiffs filed a First Amended Complaint on May 18, 2020. Defendants 15 have filed a motion to dismiss which is currently pending.

On May 28, 2020, Plaintiff Frank Carson filed an action against County of Stanislaus, City of Modesto, City of Ceres, Birgit Fladager, Marlissa Ferreira, David Harris, Kirk Bunch, Steve Jacobson, Jon Evers, Derek Perry and Cory Brown, asserting constitutional violations as arising from investigation of the murder of Korey Kauffman, including his arrest pursuant to warrant, and malicious prosecution following the acquittal of the charges against him. Defendants have moved to dismiss which is pending.

On May 29, 2020, Plaintiffs Walter Wells and Scott McFarlane filed an action against County of Stanislaus, City of Modesto, City of Ceres, the Stanislaus Office of District Attorney, Birgit Fladager, Kirk Bunch, Steve Jacobson, Jon Evers, Dale Lingerfelt, Derek Perry and Cory Brown, asserting constitutional violations as arising from investigation of the murder of Korey Kauffman, including his arrest pursuant to warrant, and malicious prosecution following the dismissal of the charges against them. Defendants have moved to dismiss which is pending.

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On June 17, 2020, the court related the above-captioned cases.

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Plaintiffs and Defendants recognize and stipulate that these cases involve a common question of law or fact per Federal Rule of Civil Procedure Rule 42. The cases concern the same parties, the same events, the same or similar claims, and the same or similar questions of law. Consolidating these related cases for purposes of discovery will conserve judicial resources and promote an efficient determination of the actions, streamline and economize pretrial proceeding and avoid unnecessary costs.

7	Dated: November 13, 2020	MORRISON & FOERSTER LLP
8		
9 10		By <u>/s/ Robert Sandoval (authorized on 11-13-2020)</u> Robert Sandoval
10		Attorneys for Plaintiffs BALJIT ATHWAL, NAVNEET ATHWAL, DALJIT ATWAL, and KARAN INC., dba
12		POP-N-CORK
13		Attorneys for Plaintiffs
14		WALTER WELLS and SCOTT McFARLANE
15		
16	Dated: November 13, 2020	GWILLIAM, IVARY, CHIOSSO, CAVALLI & BREWER
17	Dated. November 13, 2020	Owilliam, ivaki, cinosso, cavalli & bkewek
18		By /s/ Jayme L. Walker (authorized on 11-13-2020)
19		Jayme L. Walker
20		Attorneys for Plaintiffs GEORGIA DEFILIPPO and
21		CHRISTINA DEFILIPPO
22		Attorneys for Plaintiff
23		FRANK CARSON
24		Attorneys for Plaintiff
25		EDUARDO QUINTANAR, JR.
26		
27		
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	STIPULATION T	O CONSOLIDATE FOR PURPOSES OF DISCOVERY

1 2	Dated: November 13, 2020	ALLEN, GLAESSNER, HAZELWOOD & WERTH, LLP
3		By <u>/s/ Patrick Moriarty (authorized on 11-13-2020)</u>
4		Patrick Moriarty
5		Attorneys for Defendants CITY OF MODESTO, CHIEF GALEN
6		CARROLL and DETECTIVE JON EVERS
7	Dated: November 13, 2020	ARATA SWINGLE VAN EDMOND & HEITLINGER
8		
9		By <u>/s/ Bradley S. Swingle (authorized on 11-13-2020)</u> Bradley S. Swingle
10		Attorneys for Defendants
11		CITY OF CERES, CITY OF TURLOCK, TIMOTHY REDD and DEREK PERRY
12		
13	Dated: November 13, 2020	NUSSBAUM APC
14		
15		By /s/ T. J. Stephens authorized on 11-13-2020)
16		T.J. Stephens Attorneys for Defendant
17		PAUL EDWARD JONES
18		
19	Dated: November 13, 2020	PORTER SCOTT A PROFESSIONAL CORPORATION
20		
21		By <u>/s/ John R. Whitefleet</u> John R. Whitefleet
22		Attorneys for Defendants COUNTY OF STANISLAUS, STANISLAUS
23		COUNTY OFFICE OF THE DISTRICT
24		ATTORNEY, BIRGIT FLADAGER, KIRK BUNCH, STEVE JACOBSON, DALE
25		LINGERFELT, CORY BROWN, MARLISSA FERREIRA, DAVID HARRIS
26		γεννείνα, σαγιό πακκιδ
27		
28		
		5
	STIPULATION TO	CONSOLIDATE FOR PURPOSES OF DISCOVERY

1	PURSUANT TO STIPULATION, these matters are consolidated for purposes of discovery.
2	Dated: November 13, 2020
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4	wy - Hunley
5	Troy L. Nunley
6	United States District Judge
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	STIPULATION TO CONSOLIDATE FOR PURPOSES OF DISCOVERY