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10 Attorneys for Defendants  
 TAMARAH HARBER-PICKENS, in her  
 11 official capacity as Court Executive Officer of  
 the Superior Court of California, County of  
 12 Kern; and HON. JUDITH K. DULCICH, in  
 her official capacity as Presiding Judge of the  
 13 Superior Court of California, County of Kern  
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15 UNITED STATES DISTRICT COURT  
 16 EASTERN DISTRICT OF CALIFORNIA  
 17 FRESNO DIVISION

18 **AMERICAN CIVIL LIBERTIES**  
 19 **UNION OF SOUTHERN**  
 20 **CALIFORNIA, et al.,**

21 **Plaintiffs,**

22 **v.**

23 **TAMARAH HARBER-PICKENS, et al.,**

24 **Defendants.**

**Case No. 1:20-cv-00889-DAD-JLT**

**Assigned for all purposes to  
 Hon. Dale A. Drozd**

**STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE MANDATORY  
 SCHEDULING CONFERENCE AND  
 EXTEND DEFENDANTS' RESPONSIVE  
 PLEADING DEADLINE**

(Doc. 24)

1 Defendants Tamarah Harber-Pickens, in her official capacity as Court Executive Officer  
2 of the Superior Court of California, County of Kern, and Hon. Judith K. Dulcich, in her official  
3 capacity as Presiding Judge of the Superior Court of California, County of Kern (collectively  
4 “KCSC”), and Plaintiffs American Civil Liberties Union of Southern California Kilah Oats,  
5 Lotisha Davidson, Tanisha Brown, Tameca Spriggs, and Janie Randle hereby stipulate to 1)  
6 continue the Mandatory Scheduling Conference in this matter, currently set for September 22,  
7 2020, to October 20, 2020, or as soon thereafter as the Court may be available; and 2) extend all  
8 Defendants’ deadline to file a responsive pleading in this matter until October 20, 2020.

9 1. On June 26, 2020, the Court set the Mandatory Scheduling Conference in this  
10 matter for September 22, 2020, at 8:30 a.m. (Dkt. No. 3.)

11 2. On July 14, 2020, counsel for KCSC executed and Plaintiffs filed a Waiver of the  
12 Service of Summons, which set KCSC’s deadline to file a responsive pleading in this matter at 60  
13 days from July 14, 2020 – or September 14, 2020. (Dkt. No. 19.)

14 3. KCSC has been working diligently to install live audio streaming services in all  
15 active courtrooms in the Superior Court of California, County of Kern so that it can balance the  
16 need to maintain physical distancing in light of the COVID-19 pandemic with the public right of  
17 access to court proceedings.

18 4. KCSC has informed Plaintiffs that all live audio streaming equipment has been  
19 installed; is currently being tested; and soon will go live.

20 5. Once live audio streaming becomes available, the parties believe their time and  
21 efforts are best served by working to resolve this matter amicably, rather than preparing for  
22 litigation and trial. The parties further believe this proposed continuance and extension will give  
23 them sufficient time in which to do so.

24 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the  
25 Court’s approval, as follows:

26 1. The Mandatory Scheduling Conference in this matter shall be continued to  
27 October 20, 2020, at 8:30 a.m., or as soon thereafter as the Court may be available;

28 2. The parties’ respective Rule 26 obligations shall likewise be continued; and

1           3.       The deadline to file a responsive pleading in this matter by all named Defendants  
2 shall be extended to October 20, 2020.

3                   **IT IS SO STIPULATED.**

4 Dated: September 4, 2020

JONES DAY

5                   /s/ Robert A. Naeve

6 Robert A. Naeve  
7 Cary D. Sullivan  
8 Nathaniel P. Garrett

9 Attorneys for Defendants  
10 TAMARAH HARBER-PICKENS, in her  
11 official capacity as Court Executive Officer  
12 of the Superior Court of California, County  
13 of Kern; and HON. JUDITH K. DULCICH,  
14 in her official capacity as Presiding Judge of  
15 the Superior Court of California, County of  
16 Kern

13 Dated: September 4, 2020

ACLU FOUNDATION OF NORTHERN  
CALIFORNIA

14                   /s/ Kathleen Guneratne (as authorized on  
15 9/4/2020)

16 Kathleen Guneratne  
17 Amy Gilbert

18 Attorneys for Plaintiffs  
19 ACLU OF SOUTHERN CALIFORNIA,  
20 KILAH OATS, LOTISHA DAVIDSON,  
21 TANISHA BROWN, TAMECA  
22 SPRIGGS, and JANIE RANDLE

20 Dated: September 4, 2020

AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION OF SOUTHERN  
CALIFORNIA

21                   /s/ Peter Eliasberg (as authorized on  
22 9/4/2020)

23 Peter Eliasberg  
24 Jordan Wells

25 Attorneys for Plaintiffs  
26 ACLU OF SOUTHERN CALIFORNIA,  
27 KILAH OATS, LOTISHA DAVIDSON,  
28 TANISHA BROWN, TAMECA  
SPRIGGS, and JANIE RANDLE

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Dated: September 4, 2020

FIRST AMENDMENT COALITION

/s/ David Edward Snyder (as authorized on  
9/4/2020)

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David Edward Snyder

Attorneys for Plaintiff  
FIRST AMENDMENT COALITION

Dated: September 4, 2020

OFFICE OF KERN COUNTY COUNSEL

/s/ Marshall Scott Fontes (as authorized on  
9/4/2020)

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Marshall Scott Fontes  
Andrew C. Thomson

Attorneys for Defendant  
DONNY YOUNGBLOOD, Sheriff of Kern  
County, in his official capacity

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**PROPOSED ORDER**

Based upon the parties' Stipulation to Continue the Mandatory Scheduling Conference and Extend Defendants' Responsive Pleading Deadline, and for good cause shown, **IT IS**

**HEREBY ORDERED THAT:**

1. The Mandatory Scheduling Conference in this matter shall be continued to October 20, 2020, at 8:30 a.m.;
2. The parties' respective Rule 26 obligations shall likewise be continued; and
3. The deadline to file a responsive pleading in this matter for all named Defendants shall be extended to October 20, 2020.

**IT IS SO ORDERED.**

Dated: September 7, 2020

  
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UNITED STATES MAGISTRATE JUDGE