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6 CITY OF MODESTO and GALEN CARROLL

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8 **UNITED STATES DISTRICT COURT**
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10 **EASTERN DISTRICT, FRESNO DIVISION**

11 ESTATE OF KIM JACKSON, et al.,
Plaintiffs,
12 v.
13 CITY OF MODESTO, et al.,
Defendants.

14 Case No. 1:21-CV-00415-AWI-EPG

**STIPULATION TO EXTEND DATE FOR
DEFENDANT CITY OF MODESTO TO
RESPOND TO PLAINTIFF'S FIRST
AMENDED REQUEST FOR PRODUCTION,
SET ONE; ORDER**

(ECF No. 52)

15
16 **STIPULATION**

17 Pursuant to Local Rule 144(a), Plaintiffs Estate of Kim Jackson, Matthew Boring, Alyssa
18 Cabrera, Glenn Jackson, and Anna Jackson and Defendants City of Modesto and Galen Carroll
19 (collectively, the “Parties”), by and through their counsel of record, hereby stipulate and agree as
20 follows:

21 1. On September 20, 2022, Plaintiff Estate of Kim Jackson (hereinafter “Estate”) served
22 by mail Defendant City of Modesto (hereinafter “City”) with First Amended Request for Production,
23 Set One containing 51 requests for production seeking a variety of materials, including materials
24 related to the subject officer-involved shooting and the following materials for each of the three
25 involved officers: personnel files, training records, psychiatric and psychological evaluations, prior
26 testimony, complaints, investigation of complaints, use of force incidents, and disciplinary history.

27 2. The Estate previously granted the City a 28-day extension of time to respond, to and
28 including November 21, 2022.

3. According to the City's counsel, the City has been diligently gathering the requested materials; however, despite best efforts it has yet to collect and review all of the responsive materials. The City's response has been delayed by the unavailability of personnel, including the City's counsel's point-of-contact at the Modesto Police Department who will be out-of-office until November 29, 2022, and the City's counsel's paralegal who will not be able to complete the production until December 12, 2022.

4. Subject to the Court's approval under Local Rule 144(a), the Parties agree to extend the deadline for the City to respond to the Estate's First Amended Request for Production, Set One, by an additional 21 days, up to and including December 12, 2022.

IT IS SO STIPULATED.

DATED: November 18, 2022

Respectfully submitted,

LAW OFFICE OF MARK E. MERIN

/s/ Paul H. Masuhara
(as authorized on November 18, 2022)

By: _____
MARK E. MERIN
PAUL H. MASUHARA
Attorneys for Plaintiffs ESTATE OF KIM
JACKSON, MATTHEW BORING, ALYSSA
CABRERA, GLENN JACKSON, and ANNA
JACKSON

DATED: November 18, 2022

RIVERA HEWITT PAUL LLP

/s/ Jonathan B. Paul

By: _____
JONATHAN B. PAUL
Attorneys for Defendants CITY OF
MODESTO and GALEN CARROLL

ORDER

Upon consideration of the stipulation (ECF No. 52) filed by the parties, and good cause appearing, IT IS ORDERED that the deadline for Defendant City of Modesto to file its response to Plaintiff Estate of Kim Jackson's First Amended Request for Production, Set One, is further extended to December 12, 2022.

IT IS SO ORDERED.

Dated: **November 21, 2022**

/s/ *Eric P. Groj*
UNITED STATES MAGISTRATE JUDGE