

P O R T E R | S C O T T

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Attorneys for Defendants SACRAMENTO COUNTY, SACRAMENTO COUNTY SHERIFF’S DEPARTMENT, JOHN MCGINNESS, DANIEL ZUNIGA, ADRIAN ZUNIGA, DEPUTE POWE, DEPUTY HELLER (erroneously sued as “MUELLER” and DEPUTY SCHANEP (erroneously sued as “SCHANAP”))

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

THOMAS LUDAVICO, Sr., THOMAS LUDAVICO, Jr.; ASHLEY LUDAVICO,

Plaintiffs,

vs.

SACRAMENTO COUNTY, a Government Entity; SACRAMENTO COUNTY SHERIFF’S DEPARTMENT, a Public Entity; JOHN MCGINNESS, an individual; ELK GROVE UNIFIED SCHOOL DISTRICT, a Public Entity; DANIEL ZUNIGA, an individual; ADRIAN ZUNIGA, an individual; JIM ROSE, an individual; DEPUTY POWE, an individual; DEPUTY MUELLER, an individual; DEPUTY SCHANAP, an individual; and DOES 1 to 50, inclusive,

Defendants.

CASE NO. 2:08-CV-01473-FCD-JFM

ORDER GRANTING STIPULATION REGARDING COUNTY DEFENDANTS’ FILING OF A RESPONSIVE PLEADING TO PLAINTIFFS’ FIRST AMENDED COMPLAINT

Pursuant to the stipulation signed by Plaintiffs THOMAS LUDAVICO, Sr.; THOMAS LUDAVICO, Jr.; ASHLEY LUDAVICO and the following Stipulating Defendants:


- COUNTY OF SACRAMENTO (erroneously sued as SACRAMENTO COUNTY and SACRAMENTO COUNTY SHERIFF'S DEPARTMENT);
- JOHN MCGINNESS;
- DANIEL ZUNIGA;
- ADRIAN ZUNIGA;
- DEPUTY DEXTER POWE;
- DEPUTY MICHAEL HELLER (erroneously sued as "MUELLER");
- DEPUTY BRETT SCHANNAP (erroneously sued as "SCHANAP");

IT IS ORDERED that the due date for the initial responsive pleading of the Stipulating Defendants shall be extended as follows:

(1) In the event the Court grants Plaintiffs' motion for leave to file a Second Amended Complaint, or deems the Second Amended Complaint filed, Stipulating Defendants' initial responsive pleading in this matter shall be a response to the Second Amended Complaint, which response shall be due not later than twenty (20) days after either the date the Second Amended Complaint is filed electronically or the date the Court's order deeming the Second Amended Complaint filed is filed electronically; or

(2) In the event the Court denies Plaintiffs' motion for leave to file a Second Amended Complaint, Stipulating Defendants' responsive pleading in this matter shall be a response to the First Amended Complaint, which shall be due no later than twenty (20) days after the date the Court's order denying Plaintiffs' motion for leave to file a Second Amended Complaint.

Dated: July 21, 2009


FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE