

William E. Bonham, SB# 55478  
 Attorney at Law  
 916 Second Street, 2<sup>nd</sup> Floor, Ste. A  
 Sacramento, California 95814  
 Telephone: (916) 557-1113  
 Facsimile: (916) 557-1118  
 Email: [billbonham@mylaw.comcastbiz.net](mailto:billbonham@mylaw.comcastbiz.net)  
 Attorney for Plaintiffs: Thomas LUDAVICO, Sr., Thomas LUDAVICO, Jr., Ashley LUDAVICO

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

A PROFESSIONAL CORPORATION

Michael W. Pott, SBN 186156

Derek J. Haynes, SBN 264621

350 University Ave., Suite 200

Sacramento, California 95825

TEL: 916.929.1481

FAX: 916.927.3706

[mpott@porterscott.com](mailto:mpott@porterscott.com)

[dhaynes@porterscott.com](mailto:dhaynes@porterscott.com)

SACRAMENTO COUNTY, SACRAMENTO COUNTY SHERIFF'S DEPARTMENT, JOHN MCGINNESS, DANIEL ZUNIGA, ADRIAN ZUNIGA, DEXTER POWE, MICHAEL HELLER (erroneously sued as "MUELLER") BRETT SCHANNAP (erroneously sued as "SCHANAP"), GREGORY HANKS, CHRIS MORA, JOHN SYDOW, and CHRIS WEIGHTMAN

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

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

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

Plaintiffs,

**SUPPLEMENTAL STIPULATION AND  
 ORDER TO EXTEND TIME FOR  
 DEFENDANTS TO FILE A RESPONSE  
 TO PLAINTIFFS' SECOND  
 CORRECTED SECOND AMENDED  
 COMPLAINT**

vs.

SACRAMENTO COUNTY, a Government Entity; SACRAMENTO COUNTY SHERIFF'S DEPARTMENT, a Public Entity; JOHN MCGINNESS, an individual; DANIEL ZUNIGA, an individual; ADRIAN ZUNIGA, an individual; DEPUTY POWE, an individual; DEPUTY M. HELLER, an individual; DEPUTY SCHANNAP, an individual; SERGEANT G. HANKS, an individual; SERGEANT MORA, an individual; DEPUTY SYDOW, an individual; DEPUTY WEIGHTMAN, an individual; and DOES 1 to 50, inclusive,

**Complaint Filed: 06/24/2008  
 2<sup>nd</sup> Corrected 2<sup>nd</sup> Amended Complaint  
 Filed: 08/05/2011**

Defendants.

Pursuant to Local Rule 144(a), it is hereby stipulated and agreed by and between Plaintiffs THOMAS LUDAVICO, SR., THOMAS LUDAVICO, JR., AND ASHLEY LUDAVICO and Defendants SACRAMENTO COUNTY, SACRAMENTO COUNTY SHERIFF'S DEPARTMENT, JOHN MCGINNESS, DANIEL ZUNIGA, ADRIAN ZUNIGA, DEXTER POWE, MICHAEL HELLER, BRETT SCHANNAP, GREG HANKS, CHRIS MORA, JOHN SYDOW, and CHRIS WEIGHTMAN, by and through their respective undersigned counsel, that Defendants may have until October 14, 2011 to respond to Plaintiffs' Second Corrected Second Amended Complaint [Docket No. 68].

The parties filed a stipulation requesting an extension to September 30, 2011 so they could focus their time and resources on the Voluntary Dispute Resolution Program (VDRP) Session, which occurred on September 21, 2011. The Court issued an Order granting that request on August 25, 2011. [Docket No. 73.] The parties did not reach a final resolution of this matter during that VDRP session. However, they are continuing their efforts to reach an agreement. To further those efforts, and avoid incurring potentially unnecessary costs that could be put towards settlement, the parties hereby stipulate and agree to continue the deadline for Defendants to respond to the Second Corrected Second Amended Complaint to **October 14, 2011**.

**IT IS SO STIPULATED.**

Dated: October 6, 2011

PORTER SCOTT  
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By /s/ Michael W. Pott  
Michael W. Pott  
Derek J. Haynes  
Attorneys for Defendants

Dated: September 29, 2011


By: /s/ William E. Bonham (authorized on 9/29/11)  
William E. Bonham  
Attorney for Plaintiffs

**ORDER**

This Court, having considered the parties' stipulation, orders that Defendants SACRAMENTO COUNTY, SACRAMENTO COUNTY SHERIFF'S DEPARTMENT, JOHN MCGINNESS, DANIEL ZUNIGA, ADRIAN ZUNIGA, DEXTER POWE, MICHAEL HELLER, BRETT SCHANNAP, GREG HANKS, CHRIS MORA, JOHN SYDOW, and CHRIS WEIGHTMAN may have until **October 14, 2011** to file a responsive pleading to Plaintiffs' Second Corrected Second Amended Complaint. No further extensions to respond to the Second Amended Complaint shall be granted.

**IT IS SO ORDERED.**

Dated: October 6, 2011

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE