

1 **P O R T E R | S C O T T**  
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6 Attorneys for Defendants COUNTY OF SACRAMENTO, JOHN MCGINNESS, SANTOS RAMOS,  
 7 BRAD ROSE, RANDY MOYA, JACQUELINE KLOSS, KEVIN STEED, STEVE WHARTON,  
 8 TIMOTHY RUIZ, THOMAS LYNN, and CRAIG HARMON  
*Public entity exempt from filing fee pursuant to Gov't Code Section 6103*

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

11 JOHN PRUITT; JOHN PRUITT, JR., a minor,  
 12 by and through his Guardian Ad Litem, his  
 13 custodial parent John Pruitt; PHILLIP  
 14 PRUITT, a minor, by and through his  
 15 Guardian Ad Litem, his custodial parent John  
 16 Pruitt; MICHAEL PRUITT, a minor, by and  
 through his Guardian Ad Litem, his custodial  
 parent John Pruitt; ISAIAH PRUITT, a minor,  
 by and through his Guardian Ad Litem, his  
 custodial parent John Pruitt; DARRYL BERG;  
 and DEBRA BERG,

Case No.: 2:10-cv-00416-WBS-KJN

**STIPULATION AND [PROPOSED]  
 ORDER TO EXTEND TIME IN WHICH  
 TO FILE RESPONSE TO FIRST  
 AMENDED COMPLAINT  
 [F.R.Civ.P. 6; EDCA Rule 144]**

Complaint filed: 2/18/10  
 First Amended: 5/12/10

17 Plaintiffs,

18 v.

19 COUNTY OF SACRAMENTO; Sacramento  
 20 County Sheriff's Department Sheriff JOHN  
 21 MCGINNESS; Sergeant SANTOS RAMOS;  
 22 Detective SEAN BERRY; Detective BRAD  
 23 ROSE; Detective RANDY MOYA; Detective  
 JACQUELINE KLOSS; Detective KEVIN  
 STEED; Detective STEVE WHARTON;  
 Probation Officer TIMOTHY RUIZ; Deputy  
 THOMAS LYNN; Deputy CRAIG  
 HARMON; and DOES 1-100, inclusive,

24 Defendants.

26 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs JOHN  
 27 PRUITT; JOHN PRUITT, JR., a minor, by and through his Guardian Ad Litem, his custodial parent  
 28 John Pruitt; PHILLIP PRUITT, a minor, by and through his Guardian Ad Litem, his custodial parent

1 John Pruitt; MICHAEL PRUITT, a minor, by and through his Guardian Ad Litem, his custodial  
2 parent John Pruitt; ISAIAH PRUITT, a minor, by and through his Guardian Ad Litem, his custodial  
3 parent John Pruitt; DARRYL BERG; and DEBRA BERG and Defendants COUNTY OF  
4 SACRAMENTO; Sacramento County Sheriff's Department Sheriff JOHN McGINNESS; Sergeant  
5 SANTOS RAMOS; Detective BRAD ROSE; Detective RANDY MOYA; Detective JACQUELINE  
6 KLOSS; Detective KEVIN STEED; Detective STEVE WHARTON; Probation Officer TIMOTHY  
7 RUIZ; Deputy THOMAS LYNN; Deputy CRAIG HARMON; by and through their respective  
8 counsel, that the time within which the Defendants must file a response to Plaintiffs' First  
9 Amended Complaint be extended from July 2, 2010 (Defendant County), July 6, 2010  
10 (Defendant WHARTON) and July 9, 2010 (all other Defendants) to and including a new  
11 deadline of July 14, 2010.

12 Defendants McGINNESS, RAMOS, ROSE, MOYA, KLOSS, STEED, RUIZ, LYNN and  
13 HARMON have not obtained any prior extensions of time within which to file a response to  
14 Plaintiffs' complaint.

15 Defendants COUNTY and WHARTON have each separately obtained one prior  
16 extension of time within which to file a response. Defendant COUNTY was not represented  
17 by counsel with respect to this case when it filed its prior extension. Defendant COUNTY  
18 obtained the prior stipulated extension with the assistance of counsel it has historically  
19 retained for other matters, but did not retain specifically for this matter. Defendant  
20 COUNTY requested the prior stipulation such that it could obtain counsel for this particular  
21 matter and, with the assistance of counsel, prepare a response. Defendant WHARTON  
22 received a prior stipulation in order to have sufficient time, with the assistance of counsel,  
23 to prepare a response, and seeks the Court's approval of this extension to coordinate the  
24 deadline for his response with all other Defendants represented by the undersigned counsel.

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Dated: July 1, 2010

Respectfully submitted,  
ROSEN, BIEN & GALVAN, LLP

By /s/ Lisa Ells (\*As authorized on 7/1/10)  
Sanford Jay Rosen  
Ernest Galvan  
Lisa Ells  
Attorneys for Plaintiffs JOHN PRUITT;  
JOHN PRUITT, JR., a minor, by and  
through his Guardian Ad Litem, his  
custodial parent John Pruitt; PHILLIP  
PRUITT, a minor, by and through his  
Guardian Ad Litem, his custodial parent  
John Pruitt; MICHAEL PRUITT, a minor,  
by and through his Guardian Ad Litem, his  
custodial parent John Pruitt; ISAIAH  
PRUITT, a minor, by and through his  
Guardian Ad Litem, his custodial parent  
John Pruitt; DARRYL BERG; and  
DEBRA BERG

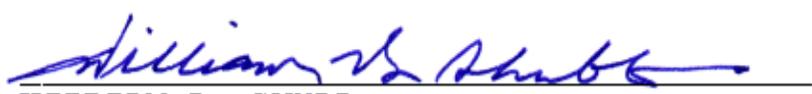
Dated: July 1, 2010

PORTER SCOTT  
A PROFESSIONAL CORPORATION

By /s/ Terence J. Cassidy  
Terence J. Cassidy  
Stephen E. Horan  
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Attorneys for Defendants COUNTY OF  
SACRAMENTO, JOHN MCGINNESS,  
SANTOS RAMOS, BRAD ROSE,  
RANDY MOYA, JACQUELINE KLOSS,  
KEVIN STEED, STEVE WHARTON,  
TIMOTHY RUIZ, THOMAS LYNN, and  
CRAIG HARMON

**IT IS SO ORDERED.**

Dated: July 2, 2010

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE