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6 Attorneys for Defendants COUNTY OF SACRAMENTO,  
 7 JOHN MCGINNESS, ERIC MANESS, JAMIE LEWIS,  
 ANNMARIE BOYLAN and CINDY PETERSON

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

10 RICHARD JAQUEZ, JR.,  
 11 Plaintiff,

No. 2:10-CV-01040 MCE DAD

12 vs.

**STIPULATION TO CONTINUE  
 HEARING DATE OF MOTION TO  
 DISMISS AND TO EXTEND THE DATE  
 FOR FILING A JOINT STATUS REPORT;  
 ORDER THEREON**

13 COUNTY OF SACRAMENTO; Sacramento  
 14 County Sheriff JOHN MCGINNESS;  
 Sacramento County Main Jail Commander  
 15 ERIC MANESS; Sacramento County Sheriff's  
 Department Chief of Correctional and Court  
 16 Services JAMIE LEWIS; Chief of Correctional  
 Health Services for Sacramento County,  
 17 ANNMARIE BOYLAN; Sacramento County  
 Correctional Services Nurse CINDY  
 18 PETERSON, RN; and DOES 1 through 30,  
 inclusive,

19 Defendants.  
 20 \_\_\_\_\_/

21 IT IS HEREBY STIPULATED by the parties through their counsel of record as follows:

- 22 1. That the hearing date on defendants' motion to dismiss be continued from August 19,
- 23 2010 to October 28, 2010, at 2:00 P.M. in Courtroom 7; and
- 24 2. That the Court to extend to November 5, 2010, the date for filing a Joint Status Report
- 25 from the current deadline of September 3, 2010.

26 The reasons for the request for the continuance of defendants' motion to dismiss and the  
 27 extension to file a Joint Status Report are that the parties have been conducting settlement discussions.

28 STIPULATION TO CONTINUE HEARING DATE  
 AND TO EXTEND DATE FOR FILING JOINT  
 STATUS REPORT; ORDER THEREON

1 Plaintiff's opposition to defendants' motion to dismiss for the currently scheduled hearing date is due  
2 August 5. The continuation of the hearing date to October 28 would allow the parties to continue with  
3 their settlement negotiations. Also, the extension of time within which to file a Joint Status Report to  
4 November 5 would allow the parties to participate in settlement discussions and, in the event are  
5 unable to negotiate a settlement, have the motion to dismiss heard prior to filing a Joint Status Report.

6 The Court has previously granted one request for continuance of defendants' motion to dismiss  
7 and one extension of time to file the Joint Status Report.

8 Date: August 4, 2010

LAW OFFICE OF STEWART KATZ

9  
10 /s/ Stewart Katz

STEWART KATZ

11 Attorneys for Plaintiff RICHARD JAQUEZ, JR.

12 Date: August 4, 2010

RANDOLPH CREGGER & CHALFANT LLP

13 /s/ Robert L. Chalfant

14 ROBERT L. CHALFANT

15 Attorneys for Defendants COUNTY OF SACRAMENTO,  
16 JOHN MCGINNESS, ERIC MANESS, JAMIE LEWIS,  
ANNMARIE BOYLAN, and CINDY PETERSON


17 **ORDER**

18 Pursuant to the parties' stipulation, and good cause appearing therefor, the hearing date on  
19 Defendant's Motion to Dismiss (Docket No. 12) is hereby continued from August 19, 2010 to October  
20 28, 2010 at 2:00 p.m. The deadline for filing a Joint Status Report is extended to November 5,  
21 2010.

22 There will be no further extensions.

23 IT IS SO ORDERED.

24 Dated: August 9, 2010

25   
26 MORRISON C. ENGLAND, JR.  
27 UNITED STATES DISTRICT JUDGE  
28