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9 Attorneys for Defendant  
 10 FULTON-EL CAMINO RECREATION & PARKS  
 11 DISTRICT

12 UNITED STATES DISTRICT COURT  
 13 FOR THE EASTERN DISTRICT OF CALIFORNIA

14 TOBY BONINE, ) Case No. 2:10-cv-01101-LKK-EFB

15 Plaintiff,

16 v.

17 )  
 18 )  
 19 ) **STIPULATION AND ORDER TO PERMIT**  
 20 ) **ADDITIONAL INTERROGATORIES**

21 FULTON-EL CAMINO RECREATION &  
 22 PARKS DISTRICT AND DOES 1 - 50,  
 23 Defendants.

24 WHEREAS, Plaintiff Toby Bonine ("Plaintiff") filed his first Complaint against  
 25 Defendant Fulton-El Camino Recreation Parks District ("Defendant") in  
 26 Sacramento County Superior Court in the State of California, Case No. 34-2008-  
 27 0025609 on October 29, 2008.

28 WHEREAS, Plaintiff filed his First Amended Complaint with an additional  
 cause of action on March 26, 2010 causing Defendant to remove to this court as  
 Eastern District Case No. 2:10-cv-01101-LKK-EFB based on the additional cause of  
 action:

WHEREAS, prior to receiving the First Amended Complaint with an  
 additional cause of action, Defendant propounded thirty-three (33) Special  
 Interrogatories on Plaintiff in state court;

1 WHEREAS, neither Plaintiff nor Defendant has conducted any discovery on  
2 Plaintiff's Federal Complaint;

3 WHEREAS, Federal Rule of Civil Procedure 33 allows for only twenty-five (25)  
4 Interrogatories except where the Court deems it appropriate to grant the service  
5 of additional interrogatories;

6 WHEREAS, this request is not being made of the purposes of delay, or any  
7 other improper purpose;

8 NOW, THEREFORE, IT IS HEREBY STIPULATED and agreed by Plaintiff and  
9 Defendant, through their respective attorneys of record, that the parties be  
10 allowed to propound an additional twenty-five (25) interrogatories to allow the  
11 parties to conduct discovery on the additional cause of action.

12 Dated: January 21, 2011

ADAMS & CORZINE

13  
14 By: /s/ Michael Pazdernik  
15 MICHAEL PAZDERNIK  
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17 Attorney for Plaintiff  
18 TOBY BONINE

19 Dated: January 21, 2011

**WEINTRAUB GENSHLEA CHEDIAK**  
a law corporation

20  
21 By: /s/ Alden J. Parker  
22 ALDEN J. PARKER  
MEAGAN D. CHRISTIANSEN

23 Attorneys for Defendant  
24 FULTON-EL CAMINO RECREATION  
AND PARKS DISTRICT  
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ORDER

Having reviewed the Stipulation of the parties, and good cause appearing:

IT IS HEREBY ORDERED THAT the parties be allowed to serve an additional twenty-five (25) interrogatories under Federal Rule of Civil Procedure 33(a)(1).

Date: January 25, 2011

  
LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT