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9 **Attorneys for Defendant City of Isleton**

10 UNITED STATES DISTRICT COURT  
 11 EASTERN DISTRICT OF CALIFORNIA

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13 JUAN MARTINEZ PEREZ,

14 Plaintiff,

15 v.

16 OFFICER W. ROE, in his individual  
 17 capacity; CHIEF OF POLICE Ronald Jole,  
 18 in his individual capacity; CITY OF  
 19 ISLETON, a municipal corporation; and  
 20 DOES 1 to 50, inclusive,

21 Defendants.

Case No. 2:10-CV-01423-MCE-KJN

**STIPULATION AND ORDER RE  
 ADDITIONAL EXTENSION OF TIME  
 FOR DEFENDANTS JOLE AND ROE  
 TO RESPOND TO PLAINTIFF’S FIRST  
 AMENDED COMPLAINT AND  
 ADDITIONAL EXTENSION OF JOINT  
 STATUS REPORT SUBMISSION  
 DEADLINE**

22 Plaintiff JUAN MARTINEZ PEREZ (“Plaintiff”), by and through his undersigned counsel,  
 23 and Defendant CITY OF ISLETON (“City”), by and through its undersigned counsel, and  
 24 Defendants OFFICER W. ROE (“Roe”) and CHIEF OF POLICE Ronald Jole (“Jole”) (collectively,  
 25 the “Parties”), hereby stipulate to the following:

26 1. **WHEREAS**, on October 19, 2009 the Parties executed a Stipulation and Order, and  
 27 the Court signed the Order (Dkt # 17), which indicated the following: (a) The time in which  
 28 Defendants Roe and Jole may answer, move, or otherwise respond to Plaintiff’s First Amended  
 Complaint was extended from October 15, 2010 to December 14, 2010; (b) The time identified in  
 item number 4 of the Court’s Order Requiring Joint Status report in which the Parties are to submit a

1 joint status report that includes the Rule 26(f) discovery plan was extended from within 60 days of  
2 service of the complaint on any party, as set forth in the Order, to December 31, 2010; and (c) The  
3 case was referred to VDRP.

4 2. **WHEREAS**, the Parties subsequently agreed on a neutral for VDRP and scheduled a  
5 VDRP session for December 9, 2010. After the session was confirmed by the neutral, the neutral  
6 informed the Parties that due to a calendar conflict she could not participate in a VDRP session on  
7 December 9, 2010 as originally indicated.

8 3. **WHEREAS**, the Parties have rescheduled the VDRP session for January 11, 2011.

9 4. **WHEREAS**, Plaintiff agrees to an additional extension of time for Defendants Roe  
10 and Jole to respond to the First Amended Complaint, making them due on or before 14 days after the  
11 Parties complete the VDRP session, or by January 25, 2011.

12 5. **WHEREAS**, the Court's Order (Dkt. # 17) requires that the Parties submit a joint  
13 status report that includes the Rule 26(f) discovery plan by December 31, 2010.

14 6. **WHEREAS**, the Parties respectfully request that the Court grant an additional  
15 extension of time to submit a joint status report (as required by item number 4 in the Court's Order  
16 Requiring Joint Status Report) from December 31, 2010 to January 31, 2011.

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**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:**

1. The time in which Defendants Roe and Jole may answer, move, or otherwise respond to Plaintiff's First Amended Complaint is extended from December 14, 2010 to January 25, 2010.

2. The time in which the Parties are to submit a joint status report (as required by item number 4 in the Court's Order Requiring Joint Status Report) is extended from December 31, 2010 to January 31, 2011.

**IT IS SO STIPULATED.**

Dated: December 14, 2010

**CAULFIELD DAVIES & DONAHUE, LLP**

By: \_\_\_\_\_ /s/ \_\_\_\_\_

Richard H. Caulfield  
Andrew T. Caulfield  
Attorneys for Defendant CITY OF ISLETON  
P.O. Box 277010  
Sacramento, CA 95827  
(916) 817-2900

Dated: December 14, 2010

**COLDERBANK LAW**

By: \_\_\_\_\_ /s/ \_\_\_\_\_

Tania H. Colderbank  
Attorney for Plaintiff JUAN MARTINEZ PEREZ  
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[SIGNATURES CONTINUE ON FOLLOWING PAGE]

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Dated: December 14, 2010

By: \_\_\_\_\_ /s/ \_\_\_\_\_

(original signature retained by attorney Andrew T. Caulfield)

**Defendant OFFICER W. ROE**

Dated: December 14, 2010


By: \_\_\_\_\_ /s/ \_\_\_\_\_

(original signature retained by attorney Andrew T. Caulfield)

**Defendant CHIEF OF POLICE, Ronald Jole**

**IT IS SO ORDERED.**

**Dated:** December 14, 2010

  
\_\_\_\_\_  
MORRISON C. ENGLAND, JR  
UNITED STATES DISTRICT JUDGE