

1 *Note from Jenn: Signatures are in PDF version.*

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11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 **-o0o-**

14 JUAN MARTINEZ PEREZ,

15 Plaintiff,

16 v.

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

22 Defendants.

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

**STIPULATION AND ORDER RE
FURTHER 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**

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

27 1. **WHEREAS**, on October 19, 2009 the Parties executed a Stipulation and Order, and
28 the Court signed the Order (Dkt # 17), which indicated the following: (a) The time in which
Defendants Roe and Jole may answer, move, or otherwise respond to Plaintiff's First Amended

1 Complaint was extended from October 15, 2010 to December 14, 2010; (b) The time identified in
2 item number 4 of the Court's Order Requiring Joint Status report in which the Parties are to submit a
3 joint status report that includes the Rule 26(f) discovery plan was extended from within 60 days of
4 service of the complaint on any party, as set forth in the Order, to December 31, 2010; and (c) The
5 case was referred to VDRP.

6 2. **WHEREAS**, on December 14, 2010, and upon further stipulation of the Parties, the
7 Court signed an Order extending the time in which Defendants Roe and Jole may answer, move, or
8 otherwise respond to Plaintiff's First Amended Complaint from December 14, 2010 to January 25,
9 2010. The Order further extended the time in which the Parties are to submit a joint status report (as
10 required by item number 4 in the Court's Order Requiring Joint Status Report) from December 31,
11 2010 to January 31, 2011.

12 3. **WHEREAS**, the Parties completed a VDRP session on January 11, 2011. Although
13 the Parties did not reach a settlement during the VDRP session, the Parties are currently engaging in
14 ongoing settlement discussions.

15 4. **WHEREAS**, in light of ongoing settlement discussions, Plaintiff agrees to an
16 additional extension of time for Defendants Roe and Jole to respond to the First Amended
17 Complaint, making their responses due on or before February 8, 2011.

18 5. **WHEREAS**, in light of ongoing settlement discussions, the Parties respectfully
19 request that the Court grant an additional extension of time to submit a joint status report (as
20 required by item number 4 in the Court's Order Requiring Joint Status Report) from January 31,
21 2010 to February 28, 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 January 25, 2011 to February 8, 2011.

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 January 31, 2011 to February 28, 2011.

IT IS SO STIPULATED.

Dated: February 1, 2011

CAULFIELD DAVIES & DONAHUE, LLP

By: /s/ Richard H. Caulfield

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

Dated: February 1, 2011

COLDERBANK LAW

By: /s/ Tania H. Colderbank

Tania H. Colderbank
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[SIGNATURES CONTINUE ON FOLLOWING PAGE]

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Dated: February 1, 2011

By: _____
(original signature retained by attorney Andrew T. Caulfield)

Defendant OFFICER W. ROE


Dated: February 1, 2011

By: _____
(original signature retained by attorney Andrew T. Caulfield)

Defendant CHIEF OF POLICE, Ronald Jole

IT IS SO ORDERED.

DATED: February 1, 2011



UNITED STATES DISTRICT JUDGE