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15 Attorney for Plaintiff CORY J. QUINONEZ,

16 **UNITED STATES DISTRICT COURT**
 17 **EASTERN DISTRICT OF CALIFORNIA**

18 CORY J. QUINONEZ,) Case No.: 2:10-CV-02801 FCD KJM
 19)
 20 Plaintiff,)
 21) **STIPULATION AND ORDER FOR STAY**
 22 vs.)
 23)
 24 CHICO POLICE DEPARTMENT, OFFICER)
 25 M. MADDEN, OFFICER PENA, and DOES)
 26 1-20,)
 27)
 28 Defendants.)

29 The parties, through their respective counsel, hereby submit the following Stipulation and
 30 Request for Stay:

- 31 1. WHEREAS Plaintiff has filed this action against the Chico Police Department
 32 and several police officers for the City of Chico;
- 33 2. WHEREAS the complaint in this action is based on events allegedly occurring on
 34 or about October 18, 2009;
- 35 3. WHEREAS the same events that form the basis of the civil complaint are also the

1 subject of a criminal action against Plaintiff CORY J. QUINONEZ that is currently pending in
2 Butte County Superior Court, case number SCR74980;

3 4. WHEREAS Government Code § 945.3 prohibits the filing of a civil action against
4 a peace officer and his or her employing entity while criminal charges are pending in a superior
5 court;

6 THE PARTIES HEREBY STIPULATE this civil action may be stayed, and that all
7 hearings and deadlines are vacated during the time that criminal charges are pending in superior
8 court.

9 Dated: December 9, 2010

ANGELO, KILDAY & KILDUFF

10 /s/ Amie McTavish

11 By: _____
12 AMIE MCTAVISH
13 Attorneys for Defendant CHICO
POLICE DEPARTMENT

14 Dated: December 9, 2010

/s/ Ellen C. Dove

15 By: _____
16 ELLEN C. DOVE
17 Attorney for Plaintiff CORY J.
QUINONEZ

18 **ORDER**

19 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that:

- 20 1. This civil action is stayed and all related hearings and deadlines are vacated;
21 2. The attorney for the Plaintiff shall notify the Court and counsel, within 30 days, of
22 the conclusion of the criminal proceedings;
23 3. A response to the complaint will be filed within 30 days of the date on which
24 counsel for the Plaintiff provides written notice of the conclusion of the criminal proceedings
25 (facsimile or electronic notice included).

26
27 Dated: December 9, 2010

28 
FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE