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10 UNITED STATES DISTRICT COURT
 11 EASTERN DISTRICT OF CALIFORNIA
 12 SACRAMENTO DIVISION

13 Estate of RODNEY LOUIS BOCK, deceased, by
 14 and through CYNDIE DENNY BOCK, as
 Administrator; KIMBERLY BOCK; KELLIE
 15 BOCK; HILLARY BOCK; M.B., minor through
 her mother and guardian ad litem Cyndie Denny
 16 Bock; LAURA LYNN BOCK; and ROBERT
 BOCK,

17 Plaintiffs,

18 v.

19 COUNTY OF SUTTER; COUNTY OF YUBA;
 J. PAUL PARKER, Sutter County Sheriff's
 20 Department Sheriff; TOM SHERRY, Director of
 Human Services of Sutter and Yuba Counties;
 21 AMERJIT BHATTAL, Assistant Director of
 Human Services–Health Division of Sutter and
 22 Yuba Counties; BRAD LUZ, Assistant Director of
 Human Services–Mental Health of Sutter and Yuba
 23 Counties; JOHN S. ZIL; CHRISTOPHER
 BARNETT; SADOUTOUNNISSA MEER; and
 24 Does I through XL, inclusive,

25 Defendants.

Case No. CIV 11-cv-00536 (MCE) (GGH)

**EX PARTE APPLICATION TO
 EXCEED PAGE LIMIT IN
 PLAINTIFFS' OPPOSITION TO
 DEFENDANTS' MOTION TO
 DISMISS; DECLARATION OF
 AARON J. FISCHER IN SUPPORT
 THEREOF; ORDER THEREON**

1 **APPLICATION**

2 Plaintiffs Estate of RODNEY LOUIS BOCK, deceased, by and through CYNDIE
3 DENNY BOCK, as Administrator; KIMBERLY BOCK; KELLIE BOCK; HILLARY
4 BOCK; M.B., minor through her mother and guardian *ad litem* Cyndie Denny Bock;
5 LAURA LYNN BOCK; and ROBERT BOCK (hereinafter collectively "Plaintiffs")
6 hereby apply for an order allowing Plaintiffs to exceed the page limit for their Opposition
7 to Defendants' Motion to Dismiss.

8 Plaintiffs respectfully submit that good cause exists to allow them to exceed the
9 twenty (20) page limitation as set forth in the Order Requiring Joint Status Report dated
10 February 25, 2011 (Dkt. No. 5 at 4) because the nature of claims involving both federal
11 constitutional claims and state law claims, as against multiple individual and municipal
12 defendants, render it impossible to address the complex issues raised by the twenty-four
13 (24) page Memorandum of Points and Authorities In Support of Defendants' Motion to
14 Dismiss within the page limitation provided in the Order Requiring Joint Status Report.

15 Despite a good faith effort by Plaintiffs to comply with the page limitation,
16 Plaintiffs seek leave to file a memorandum of twenty-five (25) pages in order to adequately
17 address all the necessary issues raised within Defendants' memorandum and establish the
18 sufficiency of the First Amended Complaint. Based upon the foregoing, Plaintiffs submit
19 good cause exists, and thus the Court should grant this Application.

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21 DATED: August 23, 2011

Respectfully submitted,

22 ROSEN, BIEN & GALVAN, LLP

23 By: /s/ Aaron J. Fischer

24 Aaron J. Fischer

25 Attorneys for Plaintiffs

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DECLARATION OF AARON J. FISCHER

I, Aaron J. Fischer, declare:

1. I am an attorney admitted to practice law in California, a member of the bar of this Court, and an associate in the law firm of Rosen, Bien & Galvan LLP, counsel of record for Plaintiffs. I have personal knowledge of the matters set forth herein, and if called as a witness I could competently so testify. I make this declaration in support of Plaintiffs' *Ex Parte* Application to Exceed Page Limit in Plaintiffs' Opposition to Defendants' Motion to Dismiss.

2. Defendants' Memorandum of Points and Authorities In Support of Motion to Dismiss of Defendants is twenty-four (24) pages, and contains argument as to each of Plaintiffs' eleven (11) causes of action. Plaintiffs have in good faith attempted to address the complex issues raised by Defendants' memorandum within the page limitation provided by the Order Requiring Joint Status Report, dated February 25, 2011. Plaintiffs require twenty-five (25) pages for their Opposition to Defendants' Motion to Dismiss in order to adequately address the deficiencies in Defendants' arguments and establish the sufficiency of the First Amended Complaint.

3. Accordingly, on behalf of Plaintiffs, I respectfully request leave to exceed the page limitation provided by the Order Requiring Joint Status Report.

I declare under penalty of perjury under the laws of the United States and the State of California that the foregoing is true and correct, and that this declaration is executed at San Francisco, California this 23rd day of August, 2011.

/s/ Aaron J. Fischer
Aaron J. Fischer


ORDER

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Proof of good cause having been made to the satisfaction of this Court that the application sought for Plaintiffs' *ex parte* application to exceed the page limit for their Opposition to Defendants' Motion to Dismiss should be granted, IT IS ORDERED that the application is GRANTED.

IT IS SO ORDERED.

Dated: August 29, 2011


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE