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Attorneys for COUNTY OF SIERRA, SIERRA COUNTY DEPT. OF HUMAN SERVICES/SOCIAL SERVICES DEPARTMENT, a government agency organized and existing pursuant to the law and policy of the COUNTY OF SIERRA, CAROL ROBERTS, Director of the DEPT. OF HUMAN SERVICES, JAMES CURTIS, JAMES MARKS, JODI BENSON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JILL MOLARIS, J.P., a minor, and M.P., a minor, by and through their guardian ad litem, MARK WOODS,

Case No. 2:11-cv-01565-WBS-KJN

Plaintiffs,

NOTICE OF WITHDRAWAL OF DEFENDANT’S MOTION TO DISMISS COMPLAINT; STIPULATION AND ORDER TO EXTEND TIME TO RESPOND TO FIRST AMENDED COMPLAINT

v.

COUNTY OF SIERRA, a California Municipality, SIERRA COUNTY DEPT. OF HUMAN SERVICES/SOCIAL SERVICES DEPARTMENT, a government agency organized and existing pursuant to the law and policy of the COUNTY OF SIERRA, CAROL ROBERTS, Director of the DEPT. OF HUMAN SERVICES, JAMES CURTIS, JAMES MARKS, JODI BENSON, and DOES 1-25,

Complaint Filed: June 10, 2011

Defendants.

TO PLAINTIFFS AND THEIR ATTORNEY OF RECORD:

NOTICE IS HEREBY GIVEN to Plaintiffs and their attorney of record that Defendants COUNTY OF SIERRA, SIERRA COUNTY DEPT. OF HUMAN SERVICES/SOCIAL SERVICES DEPARTMENT, a government agency organized and existing pursuant to the law and policy of the COUNTY OF SIERRA, CAROL ROBERTS, Director of the DEPT. OF HUMAN SERVICES, JAMES CURTIS, JAMES MARKS and JODI BENSON (“Defendants”) hereby withdraw their Motion to Dismiss the Complaint. Defendants base this withdrawal on the grounds that Plaintiffs

1 have filed their First Amended Complaint and the Motion to Dismiss accordingly is moot. Said
2 motion was noticed and to be heard by this Court on November 21, 2011, at 2:00 p.m.

3 DATED: November 7, 2011

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6 By /s/ Terence J. Cassidy
Terence J. Cassidy
7 Kristina M. Hall
8 Attorneys for Defendants

9 **STIPULATION AND ORDER**

10 IT IS HEREBY STIPULATED and agreed by and between Plaintiffs JILL MOLARIS, J.P.,
11 a minor, and M.P., a minor, by and through their Guardian ad Litem, MARK WOODS (“Plaintiffs”)
12 and Defendants COUNTY OF SIERRA, SIERRA COUNTY DEPT. OF HUMAN
13 SERVICES/SOCIAL SERVICES DEPARTMENT, a government agency organized and existing
14 pursuant to the law and policy of the COUNTY OF SIERRA, CAROL ROBERTS, Director of the
15 DEPT. OF HUMAN SERVICES, JAMES CURTIS, JAMES MARKS and JODI BENSON
16 (“Defendants”), by and through their undersigned counsel, that the time for Defendants to respond
17 to Plaintiffs’ First Amended Complaint shall be extended up to and including November 29, 2011.

18 DATED:

19 /s/ Carroll E. Peiffer (authorized 11/4/11)
20 Carroll E. Peiffer, Attorney for Plaintiffs
21 JILL MOLARIS and J.P., a minor, and M.P., a minor,
22 by and through their Guardian ad Litem, MARK
WOODS

23 DATED: November 7, 2011

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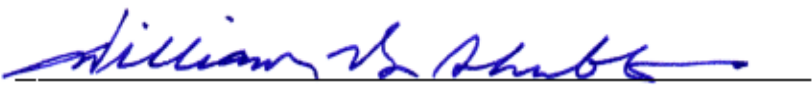
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26 By /s/ Terence J. Cassidy
27 Terence J. Cassidy
28 Kristina M. Hall
Attorneys for Defendants

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1 IT IS HEREBY ORDERED that Defendants' Motion to Dismiss, scheduled for
2 November 21, 2011, is vacated.

3 IT IS FURTHER ORDERED that Defendants respond to Plaintiffs' First Amended
4 Complaint no later than November 29, 2011.

5 DATED: November 7, 2011

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7 WILLIAM B. SHUBB
8 UNITED STATES DISTRICT JUDGE

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