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6 *Attorneys for Plaintiff John Philip Moncrief*

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 10 UNITED STATES DISTRICT COURT  
 11 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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13 JOHN PHILIP MONCRIEF,	)	<b>CASE NO.: 2:12-cv-00414 MCE AC P</b>
	)	
14 Plaintiff,	)	
	)	
15 v.	)	
	)	
16 CALIFORNIA DEPARTMENT OF	)	<b>STIPULATION AND [PROPOSED</b>
17 CORRECTIONS & REHABILITATION,	)	<b>ORDER] FOR EXTENSION OF TIME</b>
18 RANDY GROUNDS, GARY	)	<b>TO FILE A MOTION TO AMEND AND</b>
SWARTHOUT, and DOES 1-50,	)	<b>TO AMEND COMPLAINT (L. Rule 144;</b>
inclusive,	)	<b>FRCP 6)</b>
	)	
19 Defendants.	)	
	)	

20  
 21 **STIPULATION**

22 On June 24, 2014 and August 21, 2014 respectively, the parties filed Stipulations and  
 23 Proposed Orders to extend the time for Plaintiff to file an amended complaint (Docket Nos.  
 24 49, 51). The Court signed and entered the orders requested (Docket Nos. 50, 52), and the  
 25 current extension expires on November 7, 2014. The purpose of these extensions was to  
 26 allow Plaintiff to complete discovery into the names of Doe defendants. Since that time the  
 27 Defendants' counsel has been attempting, in response to Plaintiff's FRCP 30(b)(6) deposition  
 28 notice, to identify the person(s) most knowledgeable about decisions that were made related  
 to the housing of Plaintiff on the date he alleges he was injured. It took some time, but

1 Defendants counsel identified two persons whose depositions were taken in Sacramento on  
2 October 29, 2014. At the deposition Defendants' counsel identified one other person who it  
3 appears may have been the person who was responsible for processing Plaintiff during his  
4 transfer on the day he was injured. Additionally, one of the deponents identified a document  
5 that, if it still exists, is likely to shed further light on what happened on the date of Plaintiff's  
6 injury. Plaintiff would therefore like to take the deposition of the other person identified, and  
7 if possible obtain the document that was identified by the previous deponent, before moving  
8 to amend. To do so requires a final extension of time.

9 Therefore, pursuant to Civil Local Rules 144, and FRCP 6, Plaintiff John Moncrief, by  
10 and through his attorney of record, Kenneth Frucht of the Geonetta & Frucht, LLP law firm,  
11 and Defendants Grounds, Swarthout, and CDRC, by and through their attorney of record Kelli  
12 M. Hammond, hereby stipulate that the time for Plaintiff to file a motion to amend and to file  
13 an amended complaint be extended from November 7, 2014 to January 15, 2014. The purpose  
14 of the extension is to allow Plaintiff to take sufficient discovery to be able to identify Doe  
15 defendants so that he can file an amended complaint substituting in the named defendants for  
16 the individual defendants.

17 **SO STIPULATED.**

19 Dated: November 12, 14

GEONETTA & FRUCHT, LLP

21 By:           /s/          Kenneth Frucht          

22 KENNETH FRUCHT  
23 Attorneys for Plaintiff

25 Dated: November 12, 14

ATTORNEY GENERAL OF CALIFORNIA

27 By:           /s/          Kelli M. Hammond          

28 KELLI M. HAMMOND  
Deputy Attorney General  
Attorneys for Defendants

1 **IT IS SO ORDERED**

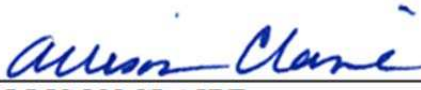
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5 Dated: November 12, 2014

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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE

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