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 8 UNITED STATES DISTRICT COURT
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 JOHN PHILIP MONCRIEF,)	CASE NO.: 2:12-cv-00414 MCE AC P
)	
12 Plaintiff,)	
)	
13 v.)	
)	
14 RANDY GROUNDS, TROY GORHAM,)	STIPULATED REQUEST AND
15 and DOES 1-50, inclusive,)	PROPOSED ORDER FOR
)	EXTENSION OF TIME TO FILE
16 Defendants.)	OPPOSITION TO MOTION FOR
)	SUMMARY JUDGMENT AND FOR
)	HEARING OF MOTION FOR
)	SUMMARY JUDGMENT MOTIONS
)	(L. Rule 144; FRCP 6)
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 19 **REQUEST FOR EXTENSION OF TIME**

20 Plaintiff's opposition to Defendants' motion for summary judgment is currently due on July
 21 22, 2016. The parties hereby request and stipulate to a third and final extension of ten days for
 22 Plaintiff to file his opposition to Defendants' summary judgment motion, and a concomitant
 23 continuance of the date for the Court to hear the motion. This request is made because of the
 24 difficult and time consuming nature of communications between Plaintiff and his counsel.
 25 Preparing the papers to oppose defendants motion involves substantial communication between
 26 Plaintiff and counsel in order to prepare Plaintiff's declaration and to fact check the papers.

27 The only means of communication between Plaintiff and counsel are mail and telephone
 28 conversations. Prison procedures and rules limit these telephone conversations to 15 minutes per
 call, making the process of communication slow and very tedious. Moreover, Plaintiff wishes to

1 see the final opposition papers before they are filed, as is his right, and naturally wants to also
2 see and sign his declaration, and this requires an airplane flight to San Diego where he is
3 presently incarcerated. Plaintiff's counsel intends to travel to San Diego to meet with Plaintiff
4 on July 25, 2016. Following the meeting counsel intends to return to the Bay Area and finalize
5 and file the opposition papers by August 1, 2016.

6 **STIPULATION**

7 Pursuant to Civil Local Rules 144, and FRCP 6, Plaintiff John Moncrief, by and through his
8 attorney of record, Kenneth Frucht of the Geonetta & Frucht, LLP law firm, and Defendants
9 Grounds, Frias and Gorham, by and through their attorney of record Kelli M. Hammond, hereby
10 stipulate and request that Plaintiff have until August 1, 2016 to file Plaintiff's opposition to the
11 summary judgment motion, and that the hearing on the motion be set for August 31, 2016.

12 **SO STIPULATED.**

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14 Dated: July 18, 2016

GEONETTA & FRUCHT, LLP

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By: /s/ Kenneth Frucht
KENNETH FRUCHT
Attorneys for Plaintiff

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19 Dated: July 18, 2016

ATTORNEY GENERAL OF CALIFORNIA

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By: /s/ Kelli M. Hammond
KELLI M. HAMMOND
Deputy Attorney General
Attorneys for Defendants


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23 **IT IS SO ORDERED**

24 Dated: July 20, 2016

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ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE

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