

1 **WILLIAM D. AYRES, SBN 098901**
 2 **AYRES LAW OFFICE**
 3 **1330 West Street, Suite C**
 4 **Redding, CA 96001**
 5 **Telephone: (530) 229-1340**
 6 **Fax: (530) 229-1345**
 7 **Email: wda@ayreslaw.net**

8 **Attorney for Defendants WEED UNION ELEMENTARY SCHOOL DISTRICT,**
 9 **LEEANNA RIZZO, AND ALISSA CUMMINGS**

10 **UNITED STATES DISTRICT COURT**
 11 **EASTERN DISTRICT OF CALIFORNIA**

12
 13 M. S., ET AL.,

Case No. 2:13-CV-01211-JAM-DAD

14
 15 Plaintiffs,

16 **STIPULATION AND ORDER**
 17 **EXTENDING TIME TO APPEAR**
 18 **[Local Rule 144 (a)]**

19 vs.

20 WEED UNION ELEMENTRY SCHOOL
 21 DISTRICT, ET AL.,

22 Defendants
 23 _____/

24
 25 WHEREAS, defendants WEED UNION ELEMENTARY SCHOOL
 26 DISTRICT and LEEANNA RIZZO, were each served with the Summons and Complaint
 27 herein on June 20, 2013, and ALISA CUMMINGS was not served until July 11, 2013 via
 28 acceptance of service by her counsel.

29 WHEREAS, defendants COUNTY OF SISKIYOU and DEPUTY SHERIFF
 30 CARL HOUTMAN, were each served with the Summons and Complaint herein on June 20,
 31 2013;

1 WHEREAS, pursuant to Federal Rules of Civil Procedure, Rule 12(a), the
2 original time to respond to the complaint for defendants WEED UNION ELEMENTARY
3 SCHOOL DISTRICT, LEEANNA RIZZO, the COUNTY OF SISKIYOU and DEPUTY
4 SHERIFF CARL HOUTMAN would expire on July 11, 2013 and the time to respond to the
5 complaint for defendant ALISSA CUMMINGS is August 1, 2013;

6 WHEREAS, before defendant ALISA CUMMINGS was served the parties
7 agreed to extend the time to respond to the complaint from July 11, 2013 to August 8, 2013 by
8 stipulation and said stipulation was filed on July 1, 2013;

9 WHEREAS, after defendant ALISA CUMMINGS was served, the parties held
10 a joint meet and confer conference on July 18, 2013, pursuant to Federal Rules of Civil
11 Procedure, Rule 26.

12 WHEREAS, during the meet and confer conference between the parties on July
13 18, 2013, the parties discussed the resolution of pleading issues; exchanged case citations
14 relevant to the pleading issues discussed; discussed exchanging documentation and processes
15 to expedite discovery of educational records and law enforcement records; discussed Initial
16 Disclosures; and during that meet and confer conference the parties agreed there was good
17 cause for a further extension of time to respond to the complaint.

18 NOW THEREFORE IT IS STIPULATED between plaintiffs and defendants WEED
19 UNION ELEMENTARY SCHOOL DISTRICT, LEEANNA RIZZO, ALISA CUMMINGS,
20 the COUNTY OF SISKIYOU and DEPUTY SHERIFF CARL HOUTMAN that said
21 defendants' time to respond to the complaint herein is extended to August 28, 2013 pursuant to
22 Local Rule 144(a).

23 Dated: July 18, 2013

AYRES LAW OFFICE

24 By: /s/ Willaim D. Ayres

25 William D. Ayres

26 Attorneys for Defendants

27 Weed Union Elementary School District,
28 Leeanna Rizzo, and Alisa Cummings

29 Dated: July 18, 2013

BLACK, CHAPMAN, WEBBER & STEVENS

30 By: /s/ Thomas N. Peterson

31 Thomas N. Peterson

Attorneys for Plaintiffs

1 Dated: July 18, 2013

PRICE & BROWN

2
3 By: /s/ Philip B. Price

4 Philip B. Price
5 Attorneys for Defendants
6 County of Siskiyou, Deputy Sheriff Carl
7 Houtman

8
9 **DECLARATION OF WILLIAM D. AYRES**

10 I, William D. Ayres, declare that I am the attorney hired to represent defendants WEED
11 UNION ELEMENTARY SCHOOL, LEEANNA RIZZO, and ALISA CUMMINGS. The
12 recitals above set forth the only time modifications previously requested or obtained in this
13 case. I do not believe the time modifications requested by this stipulation will significantly
14 modify or alter the schedule for this case. The parties have already undertaken a meaningful
15 meet and confer process and I believe the parties will continue in that spirit of mutual
16 cooperation and professional courtesy.

17 I have obtained the concurrence of Thomas N. Peterson and Phillip B. Price in filing
18 this stipulation and declaration.

19 I declare, under penalty of perjury under the laws of the State of California, that the
20 matters stated herein are true and correct and this declaration was executed on July 18, 2013 at
21 Redding, California.

22 /s/ William D. Ayres

23 William D. Ayres

24 **ORDER**

25 GOOD CAUSE APPEARING, it is hereby ordered that the Defendants' time to
26 respond to the complaint herein is extended to August 28, 2013.

27
28 Dated: 7/23/2013

29 /s/ John A. Mendez

30 Honorable John A. Mendez
31 United States District Court Judge