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James Lewis and Rick Pattison

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA**

Estate of JAMES JOSHUA MAYFIELD, by  
 and through LISA BERG, as Conservator;  
 JAMES ALLISON MAYFIELD, JR.;  
 and TERRI MAYFIELD,

Plaintiffs,

vs.

IVAN OROZCO, et al.,

Defendants.

CASE NO. 2:13-CV-02499-JAM-AC

**STIPULATION RE MOTION FOR  
SUMMARY JUDGMENT DUE DATES**

Plaintiffs Estate of James Joshua Mayfield, by and through Lisa Berg, as Conservator;  
 James Allison Mayfield, Jr.; and Terri Mayfield; and Defendants County of Sacramento; Scott  
 Jones; James Lewis; and Rick Pattison, stipulate as follows:

1           The purpose of this stipulation is to request that the court modify the existing scheduling  
2 order by extending Defendants County of Sacramento, Scott Jones, James Lewis, and Rick  
3 Pattison’s (“County Defendants”) last day to file and serve dispositive motions.

4           This case arises as a result of injuries sustained by James Joshua Mayfield during his  
5 incarceration in the Sacramento County Main Jail. Plaintiff has brought various federal claims,  
6 including excessive force, deliberate indifference to serious medical need, discrimination on the  
7 basis of disability (ADA), as well as various state law claims.

8           Under the current scheduling order, the parties were to meet and confer by October 19,  
9 2016 regarding filing cross motions for summary judgment. Counsel for Plaintiffs indicated  
10 their intention to file a motion for partial summary judgment against Defendant County of  
11 Sacramento. Counsel for the County Defendants indicated their intention to file a motion for  
12 summary judgment as to all claims. The parties further conferred regarding the corresponding  
13 due dates under the Court’s Order Re Filing Requirements (ECF 129-2), given the hearing on  
14 dispositive motions scheduled for February 8, 2017<sup>1</sup> and the scheduled dispositive motion cutoff  
15 date of November 16, 2016. On Friday, October 28, 2016, counsel for the County Defendants  
16 and counsel for Plaintiffs agreed on a briefing schedule for motions for summary judgment,  
17 which stipulated that Plaintiffs would file their motion on November 2, 2016, and the County  
18 Defendants’ motion and opposition to Plaintiffs’ motion would be filed by December 12, 2016.  
19 Counsel for Defendants University of California Davis Health Systems (UCDHS), Dr. Sokolov,  
20 and Dr. Hales (“JPS Defendants”), and Deputy Orozco agreed to the briefing schedule on  
21 Monday, October 31, 2016. On October 31, 2016, Plaintiffs’ counsel informed counsel for  
22 County Defendants that they no longer intended to file affirmative motions for summary  
23 judgment against Defendant Sacramento County. Counsel for the County Defendants reached out  
24 to counsel for the Plaintiffs that day regarding an extension to file and serve their motion for  
25 summary judgment. Plaintiff’s counsel graciously agreed to an extension of one week, allowing  
26 County Defendants to file their motion by November 23, 2016. The JPS Defendants and

27 \_\_\_\_\_  
28 <sup>1</sup>The Court has since moved the hearing date on dispositive motions from February 8, 2017 to February 7, 2017;  
however, at the time of the parties’ discussions, the hearing date was set for February 8, 2017. (ECF 143)

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Defendant Orozco do not seek an extension as to their motions and do not oppose the grant of this extension to the County Defendants.

The parties stipulate to modify the scheduling order as follows:

Last day for County Defendants to file dispositive motions: November 23, 2016. All other dates, including the hearing date for dispositive motions on February 7, 2017, shall remain the same.

IT IS SO STIPULATED

Dated: November 4, 2016 HADSELL STORMER & RENICK LLP

By: /s/ Acrivi Coromelas  
Acrivi Coromelas  
Attorneys for Plaintiffs

Dated: November 4, 2016 WILKE, FLEURY, HOFFELT, et al.

By: /s/ Robert Tyler  
Neal Lutterman  
Attorneys for Defendants,  
Regents, et al.

Dated: November 4, 2016 PORTER SCOTT

By: /s/ Adam DeBow  
Adam DeBow  
Attorneys for Defendant,  
Ivan Orozco

Dated: November 4, 2016 LONGYEAR, O'DEA & LAVRA, LLP

By: /s/ Nicole M. Cahill  
Nicole M. Cahill  
Attorneys for Defendants,  
County of Sacramento, et al.

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**ORDER**

Pursuant to stipulation, it is ordered that the last day for the County Defendants to file dispositive motions shall be November 23, 2016. All other dates shall remain the same.

**IT IS SO ORDERED:**

Dated: November 7, 2016

/s/ John A. Mendez  
John A. Mendez  
United States District Court Judge