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26 **UNITED STATES DISTRICT COURT**
 27 **EASTERN DISTRICT OF CALIFORNIA**

28 RICHARD MALOTT,
 Plaintiff,
 vs.
 PLACER COUNTY; et al.,
 Defendants.

No.: 2:14-cv-01040 KJM EFB

**STIPULATION RE: EXTENSION TO FILE
 DISMISSAL DOCUMENTS, ORDER**

WHEREAS On April 25, 2014 an action was commenced in the United States District Court, Eastern District of California entitled, Richard Malott, Plaintiff, v. Placer County, et al., Defendants, Case No. 2:14-cv-01040;

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WHEREAS On March 9, 2017 the parties attended a settlement conference before the Honorable Magistrate Judge Kendall Newman, and a settlement was reached by all parties.

WHEREAS pursuant to said settlement, dispositional documents were to be filed within 60 days.

WHEREAS on May 4, 2017 the settlement check issued by the County of Sacramento was delivered to defense counsel, and after review, was determined to have been made out incorrectly.

WHEREAS Plaintiff's counsel was notified and asked that the settlement draft be corrected.

WHEREAS the County of Sacramento is currently re-processing the settlement draft and expected to have the correction made by May 22nd.

WHEREAS the processing of the check is taking longer than anticipated. However, defense counsel has been informed that the check will be issued prior to June 1st, 2017.

THEREFORE, the parties hereby stipulate by and through their counsel of record as follows:

- 1. That the deadline to file disposition documents be extended until June 1, 2017.
- IT IS SO STIPULATED.

DATE: May 22, 2017

CREGGER & CHALFANT LLP

/s/ Robert L. Chalfant
 ROBERT L. CHALFANT
 Attorneys for Defendants SACRAMENTO
 COUNTY; SACRAMENTO COUNTY SHERIFF
 SCOTT JONES; DEPUTY JAVIER
 BUSTAMANTE; DETECTIVE MICHELLE
 HENDRICKS; DEPUTY DARIN EPPERSON

DATE: May 22, 2017

PLACER COUNTY COUNSEL'S OFFICE

/s/ Clayton Cook

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CLAYTON COOK
Attorneys for Defendants PLACER COUNTY;
SACRAMENTO COUNTY; KEN ADDISON;
MATT HARDCASTLE

Plaintiff is only agreeing to this Stipulation so as to save the Court unnecessary time. Plaintiff and Plaintiff's counsel believe this is not an accident and that Sacramento County (though not the outside counsel representing the County in this case) has a pattern of miswriting checks arising from Federal section 1983 cases. Should the check once again not be ready by the date set forth herein, Plaintiff will move for sanctions and an order for interest to be assessed at the 7% rate at which California public entities are required to pay under state law for outstanding judgments.

DATE: May 22, 2017

LAW OFFICE OF STEWART KATZ

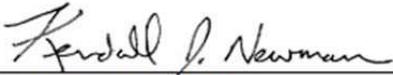
/s/ Stewart Katz
STEWART KATZ
Attorneys for Plaintiff RICHARD MALOTT

ORDER

GOOD CAUSE APPEARING THEREFOR, the Court orders that the deadline to file disposition documents be extended until June 1, 2017.

IT IS SO ORDERED.

Dated: May 23, 2017


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE