

1 **LAW OFFICE OF STEWART KATZ**
 2 STEWART KATZ, State Bar #127425
 3 555 University Avenue, Suite 270
 4 Sacramento, California 95825
 5 Telephone: (916) 444-5678
 6 Attorney for Plaintiffs
 7 Estate of JOSEPH DURAN; STEVEN A. DURAN, ELAINE DURAN

8 **ANGELO, KILDAY & KILDUFF, LLP**
 9 JOHN A. WHITESIDES, State Bar #125611
 10 CARRIE A. FREDERICKSON, State Bar #245199
 11 601 University Avenue, Suite 150
 12 Sacramento, CA 95825
 13 Telephone: (916) 564-6100
 14 Facsimile: (916) 564-6263

15 Attorneys for Defendant
 16 Amador County Sheriff-Coroner MARTIN A. RYAN

17 **UNITED STATES DISTRICT COURT**
 18 **EASTERN DISTRICT OF CALIFORNIA**

19 Estate of JOSEPH DURAN, deceased, by and
 20 through STEVEN A. DURAN and ELAINE
 21 DURAN as Successors in Interest; STEVEN
 22 DURAN, Individually; and ELAINE
 23 DURAN, Individually,

NO. 2:14-CV-02048-TLK-CKD

**STIPULATION TO CONTINUE
 HEARING DATE; ORDER**

Plaintiffs,

Date: January 15, 2015
 Time: 2:00 p.m.
 Courtroom: 2

vs.

Honorable Troy L. Nunley

24 CDCR Correctional Officer ROY C.
 25 CHAVEZ; CDCR Correctional Officer
 26 TIMOTHY NELSON; CDCR Correctional
 27 Officer JASON R. STRONGMAN; CDCR
 28 Correctional Sergeant MARK SHEPARD;
 CDCR Correctional Sergeant JUAN C.
 CARRILLO; CDCR Correctional Lieutenant
 BRYAN D. McCLOUGHAN; CDCR
 Licensed Vocational Nurse MICHAEL;
 CDCR Clinical Psychologist RICHARD E.
 ORTIGO, Psy. D.; CDCR Staff Psychiatrist
 KARUNA ANAND, M.D.; CDCR Physician
 and Surgeon JANET YU, M.D.; Mule Creek

1 State Prison Chief Medical Executive SCOTT
2 A. HEATLEY, M.D.; Mule Creek State
3 Prison Chief Executive Officer (Medical)
4 DAVID SMILEY; Mule Creek State Prison
5 Warden and Chief Executive Officer
6 WILLIAM W. KNIPP; Amador County
7 Sheriff-Coroner MARTIN A. RYAN; CASA
8 BONITA, INC.; and Does 1 through 20.

6 Defendants.

9 COME NOW THE PARTIES, by and through their respective attorneys and subject
10 to the approval of this Court, hereby stipulate and respectfully request that the Court
11 continue the hearing on Defendant Coroner Martin A. Ryan's Motion to Dismiss Plaintiffs'
12 Complaint from January 15, 2015 to March 26, 2015.

13 This continuance is being requested so as to reduce the potential regarding multiple
14 overlapping motions to dismiss which are anticipated once the counsel situation for the State
15 of California/CDCR employees is straightened out due to what appear to be multiple
16 conflicts. There is a proposed stipulation being filed extending the time for the CDCR
17 defendants to respond, and hearing this motion earlier is likely to result in additional work
18 for the Court and potentially further delay regarding responsive pleadings from the
19 defendants who have not yet appeared.

20
21 **IT IS SO STIPULATED.**

22
23 Dated: 12-14-2014

LAW OFFICE OF STEWART KATZ

24
25 /s/ Stewart Katz
26 STEWART KATZ,
Attorney for Plaintiffs

27 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

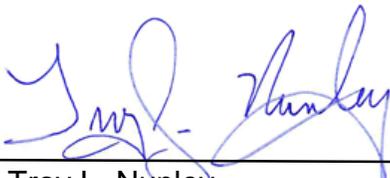
Dated: 12-23-14

ANGELO, KILDAY & KILDUFF, LLP

/s/ _____
JOHN A. WHITESIDES
Attorneys for Defendant

IT IS SO ORDERED.

Dated: January 5, 2015



Troy L. Nunley
United States District Judge