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27 UNITED STATES DISTRICT COURT
28 EASTERN DISTRICT OF CALIFORNIA

29 TIMOTHY M. CALLISON,) Case No.: 2:15-CV-00116-WBS-KJN
30)
31 Plaintiff,)
32) **JOINT STIPULATION FOR LEAVE TO**
33 vs.) **FILE FIRST AMENDED COMPLAINT;**
34) **[PROPOSED] ORDER**
35)
36 CITY OF AMERICAN CANYON, CITY OF)
37 VALLEJO, COUNTY OF NAPA, OFFICER) Courtroom: 5 Judge William B. Shubb
38 SCHNEIDER, AND)
39 DOES 1 – 100, INCLUSIVE;)
40) ACTION FILED: October 9, 2014
41) DATE REMOVED: January 15, 2015
42 Defendants.) TRIAL DATE: August 9, 2016

1 1. The parties, Plaintiff Timothy M. Callison and Defendants City of American Canyon,
2 City of Vallejo, County of Napa and Officer Brett Schneider, by and through their designated counsel,
3 pursuant to Federal Rule of Civil Procedure 15(a)(2) hereby jointly stipulate and request that the Court
4 grant Plaintiff leave to file a First Amended Complaint in this action, a true and correct copy of which is
5 attached as Exhibit A hereto.

6 2. Plaintiff filed his complaint on October 9, 2014, in Solano County Superior Court;

7 3. On January 15, 2015, Defendants removed plaintiff's complaint to the Eastern District of
8 California;

9 4. On January 22, 2015, Defendants, respectively, filed their Answers to Plaintiff's
10 complaint;

11 5. In response to Interrogatories Plaintiff recently learned that the medical provider at the
12 Napa County Correctional Facility is a third party vendor, California Forensic Medical Group.

13 6. Until recent discussion between plaintiff's counsel and Adam Abel, former counsel for
14 defendant Napa County, neither counsel had been aware of California Forensic Medical Group (CFMG).
15 The parties had been under the impression that medical care within the Napa County jail was provided
16 by Napa County employees. Responses to Interrogatories confirmed the identity of CFMG and
17 subsequent communications amongst counsel produced the consensus, given the allegations in
18 Plaintiff's complaint, that good cause exists for Plaintiff to amend his complaint and add CFMG as a
19 defendant.


20 7. Defendants waive notice and service of the First Amended Complaint and shall not be
21 required to answer the amendment, but each of the aforementioned parties has the option to either 1) file
22 a responsive pleading (within two weeks of the First Amended Complaint being filed), or 2) elect to
23 treat all of that party's denials, responses, and affirmative defenses contained in the applicable Answer
24 filed herein as responsive to the First Amended Complaint.

25 8. Concurrent with this stipulation for leave for Plaintiff to file a First Amended Complaint,
26 the parties, by and through their counsel, are filing their joint "Stipulation to Alter / Vacate Pretrial
27 Scheduling Order" therein requesting a new pretrial scheduling conference.

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PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: November 5, 2015



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE