

1 CARRIE A. FREDERICKSON, ESQ., SB No. 245199

Email: cfrederickson@akk-law.com

2 BRUCE A. KILDAY, ESQ., SB No. 066415

Email: bkilday@akk-law.com

3 **ANGELO, KILDAY & KILDUFF, LLP**

4 Attorneys at Law

601 University Avenue, Suite 150

5 Sacramento, CA 95825

6 Telephone: (916) 564-6100

Telecopier: (916) 564-6263

7 Attorneys for Defendants NICHOLAS MORAWCZNSKI and VISHWAS SHARMA

8 **UNITED STATES DISTRICT COURT**

9 **EASTERN DISTRICT OF CALIFORNIA**

10 CHRISTIE ROGERS, individually and as the) Case No.: 2:15-cv-01420-JAM-CMK
11 heir and successor in interest of KEVIN)
12 MCCOSHUM and SHAUNA ELDER,)

13)
14 Plaintiff,)

15 vs.)

16)
17 NICHOLAS MORAWCZNSKI, et al.,)

18 Defendants.)

**STIPULATION AND ORDER
WITHDRAWING MOTION TO DISMISS
AND FILING OF FIRST AMENDED
COMPLAINT**

19 The parties hereby stipulate that Defendants NICHOLAS MORAWCZNSKI and
20 VISHWAS SHARMA will withdraw their Motion to Dismiss that is current scheduled to be
21 heard on November 18, 2015 (Court’s Docket No. 4) and Plaintiffs CHRISTIE ROGERS and
22 SHAUNA ELDER will file their First Amended Complaint by November 5, 2015.

23
24 Dated: October 5, 2015

ANGELO, KILDAY & KILDUFF, LLP

/s/ Carrie A. Frederickson

25 By: _____

26 CARRIE A. FREDERICKSON
27 BRUCE A. KILDAY
28 Attorneys for Defendants
NICHOLAS MORAWCZNSKI and
VISHWAS SHARMA

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Dated: October 5, 2015

SWANSON & PELUSO

/s/ Julia S. Swanson
(as authorized on 10/5/15)

By: _____
JULIA S. SWANSON
LARRY A. PELUSO
Attorneys for Plaintiffs
CHRISTIE ROGERS and
SHAUNA ELDER

IT IS SO ORDERED.

Dated: October 6, 2015

/s/ John A. Mendez

JUDGE MENDEZ