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17 Attorneys for Plaintiff
 18 Earl Thomas

19 *Counsel for Defendants Appear After the Caption

20 **UNITED STATES DISTRICT COURT**
 21 **EASTERN DISTRICT OF CALIFORNIA**

22 EARL THOMAS,	)	Case No. 2:15-cv-01952-TLN-EFB
)	
23 Plaintiff,)	
)	
24 vs.	)	STIPULATION AND ORDER TO
	)	RESCHEDULE BRIEFING SCHEDULE
25 SACRAMENTO COUNTY; SCOTT R.	)	ON DEFENDANTS SACRAMENTO
26 JONES, SHERIFF OF SACRAMENTO	)	COUNTY; SCOTT R. JONES, SHERIFF
27 COUNTY; SACRAMENTO COUNTY	)	OF SACRAMENTO COUNTY;
28 SHERIFF’S DEPUTIES S. DANIELS,	)	SACRAMENTO COUNTY SHERIFF’S
FIDLER AND CPL. McKERSEY; SERG	)	DEPUTIES S. DANIELS, FIDLER AND
KEREZ; ARES MANAGEMENT, LLC; 99	)	CPL. McKERSEY’S MOTION TO
CENTS ONLY STORES, LLC; and DOES 1-	)	DISMISS
20, INCLUSIVE,)	
)	
Defendants.)	

1 LONGYEAR, O’DEA & LAVRA, LLP

2 John A. Lavra, CSB No. 114533
3 Kelley S. Kern, CSB No. 221265
4 3620 American River Drive, Suite 230
5 Sacramento, CA 95864
6 Tel: 916-974-8500 Fax: 916-974-8510

7 Attorneys for Defendants
8 COUNTY OF SACRAMENTO,
9 SHERIFF SCOTT R. JONES, DEPUTY S. DANIELS,
10 DEPUTY FIDLER, and DEPUTY McKERSIE (erroneously sued as Cpl. McKERSEY)

11 ANDREW S. PAULY (SBN 90145) and
12 RICHARD G. STOLL (SBN 222442), Members of SHORELINE, A Law Corporation
13 1299 Ocean Avenue, Suite 400
14 Santa Monica, California 90401-1007
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19 Attorneys for Defendants
20 99 CENTS ONLY STORES LLC,
21 ARES MANAGEMENT, LLC, and SERG KEREZ

22 Plaintiff is represented by the Law Offices of Paul L. Rein and The Law Office of
23 Anthony E. Goldsmith, and Defendants County of Sacramento, Sheriff Scott R. Jones, Deputy S.
24 Daniels, Deputy Fidler and Deputy McKersie (erroneously sued as Cpl. McKersey) are
25 represented by John A. Lavra and Kelley S. Kern of Longyear, O’Dea & Lavra, LLP.
26 Defendants 99 Cents Only Store LLC, Ares Management, LLC, and Serge Kerez are represented
27 by Andrew Pauly and Richard Stoll of Shoreline, A Law Corporation.¹ The parties hereby
28 stipulate to the following, and request the Court change the hearing date and briefing schedule as
specified below:

1. Plaintiff granted Defendants COUNTY OF SACRAMENTO,
SHERIFF SCOTT R. JONES, DEPUTY S. DANIELS, DEPUTY FIDLER, and DEPUTY
McKERSIE (erroneously sued as Cpl. McKERSEY) (collectively, the “Moving Defendants”) a
three week extension of time to respond to the complaint on October 16, 2015.

¹ A Stipulation and Proposed Order dismissing defendant Ares Management, LLC without prejudice was filed on November 16, 2015 (Docket No. 19).

1 2. Moving Defendants served Plaintiff with their motion to dismiss on November 6,
2 2015, with a hearing date set for December 10, 2015.

3 3. Due to Plaintiff's counsel's heavy litigation schedules in other cases in the midst
4 of the holiday season, Plaintiff requests an extension of the hearing date and corresponding
5 opposition and reply dates. Specifically, plaintiff's counsel Celia McGuinness, who will be
6 arguing the opposition to the motion, has a deposition scheduled all day on December 10th.

7 4. Having coordinated their calendars to find the earliest mutually-available date, the
8 parties stipulate and hereby request that the hearing date for Moving Defendants' motion to
9 dismiss be set on February 11, 2016, with Plaintiff's opposition due on January 28, 2016, and
10 Moving Defendants' reply due on February 4, 2016.

11 IT IS SO STIPULATED:

12
13 Dated: November 18, 2015

LAW OFFICES OF PAUL L. REIN
THE LAW OFFICE OF ANTHONY E.
GOLDSMITH

14
15 By: /s/ Celia McGuinness
16 CELIA MCGUINNESS
17 Attorneys for Plaintiff
18 EARL THOMAS

19 Dated: November 18, 2015

LONGYEAR, O'DEA & LAVRA, LLP

20 By: /s/ Kelley S. Kern
21 KELLEY S. KERN
22 Attorneys for Defendants
23 COUNTY OF SACRAMENTO,
24 SHERIFF SCOTT R. JONES, DEPUTY S.
25 DANIELS, DEPUTY FIDLER, and DEPUTY
26 McKERSIE (erroneously sued as Cpl.
27 McKERSEY)

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Dated: November 18, 2015

SHORELINE, A Law Corporation

ANDREW S. PAULY
RICHARD G. STOLL

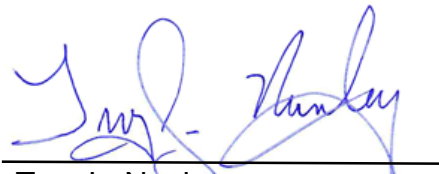
By: /s/ Richard G. Stoll
RICHARD G. STOLL
Attorneys for Defendants
99 CENTS ONLY STORES LLC,
ARES MANAGEMENT, LLC, and SERG KEREZ

1 **ORDER**

2 FOR GOOD CAUSE SHOWN, it is hereby ORDERED that the hearing date for
3 Defendants' motion to dismiss is set for February 11, 2016, at 2:00 p.m., with Plaintiff's
4 opposition due on January 28, 2016, and Defendants' reply due on February 4, 2016.

5 IT IS SO ORDERED:

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7 Dated: November 19, 2015

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10 Troy L. Nunley
11 United States District Judge
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