

1 **JEFFREY A. SILVIA, ESQ. (121065)**
2 **LAW OFFICE OF JEFFREY A. SILVIA, APC**
3 2800 West March Lane, Suite 410
4 Stockton, California 95219
5 Telephone: (209) 952-9396
6 Facsimile: (209) 952-9399
7 Email: jeffreysilvia@gmail.com

8 **SANJAY S. SCHMIDT (SBN 247475)**
9 **LAW OFFICE OF SANJAY S. SCHMIDT**
10 1388 Sutter Street, Suite 810
11 San Francisco, California 94109
12 Telephone: (415) 563-8583
13 Facsimile: (415) 223-9717
14 Email: ss@sanjayschmidtlaw.com

15 **MICHAEL F. BABITZKE (SBN 50048)**
16 **MICHAEL F. BABITZKE, INC., APC**
17 6 South El Dorado St., Suite 305
18 Stockton, California 95202
19 Telephone: (209) 465-5722
20 Facsimile: (209) 465-0714
21 Email: mbabitzke@sbcglobal.net

22 Attorneys for Plaintiff,
23 JOANNE BLIGHT

24 **UNITED STATES DISTRICT COURT**

25 **EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION**

26 **JOANNE BLIGHT,**) **Case No. 2:15-cv-02513-WBS-AC**
27)
28) **Plaintiff,**) **STPULATION RE: FILING DEADLINE**
) **FOR PLAINTIFF’S RESPONSE IN**
) **OPPOSITION TO DEFENDANT’S**
) **MOTION FOR SUMMARY JUDGMENT**
) **OR, IN THE ALTERNATIVE, SUMMARY**
) **ADJUDICATION; [PROPOSED] ORDER**
)
) **vs.**)
) **CITY OF MANTECA,** a Municipal)
) Corporation, Manteca Police Department)
) Detectives **ARMANDO GARCIA,**)
) Individually, **IAN OSBORN,** Individually,)
) and **ARMEN AVAKIAN,** Individually,)
) Manteca Police Department Sergeants **PAUL**)
) **CARMONA** and **CHRIS S. MRAZ,** in their)
) Individual and Supervisory capacities, and)
) **DOES 1 THROUGH 60,** Jointly and)
) Severally,)
)
) **Defendants.**)
)

29 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

1 Plaintiff JOANNE BLIGHT (“Plaintiff”) and Defendants CITY OF MANTECA,
2 ARMANDO GARCIA, IAN OSBORN, PAUL CARMONA, and CHRIS S. MRAZ,
3 (“Defendants”) hereby respectfully stipulate that the deadline for filing Plaintiff’s Response in
4 Opposition to Defendants’ Motion for Summary Judgment or, in the Alternative, Summary
5 Adjudication, be regarded as the filing deadline that would apply under Local Rule 230(c)
6 (09/04/17), if September 4, 2017 were not a holiday - in other words, that the filing deadline be
7 regarded as September 4, 2017, instead of September 1, 2017.

8 Good cause exists for this Stipulation. This case involves a voluminous amount of
9 documents and evidence, including sixteen (16) depositions, and a significant amount of evidence
10 that requires sensitive treatment of materials that are subject to the Attorneys’ Eyes Only
11 Protective Order. Plaintiff’s counsel had allocated time to respond to the Summary Judgment
12 Motion based upon the belief that the Opposition was due on September 4, 2017. Plaintiff’s
13 counsel had allocated additional time on Monday September 4, 2017 (instead of taking the day
14 off), in order to make sure that information related to the CI was appropriately redacted and that
15 counsel filed everything in accordance with the protective Order.

16 In addition, Mr. Babitzke, who had been assigned specific tasks to perform in responding
17 to the Motion, had to undergo orthopedic surgery on August 15, 2017. Mr. Babitzke’s doctor
18 instructed him to not return to work until August 30, 2017. Consequently, he was unable to
19 complete the tasks assigned to him and, thus, the time that would be available under what was
20 understood to be the filing date under LR 230(c) is needed.

21 On August 29, 2017, Jeffrey A., Silvia, one of the attorneys for Plaintiff, called defense
22 counsel, Kevin P. Allen, and discussed the issues addressed herein. Mr. Allen told Mr. Silvia that
23 he believed that Plaintiff’s response was due on September 4, 2017 as well, and therefore was
24 willing to enter into this Stipulation. After Plaintiff’s counsel broached this issue with defense
25 counsel, Defendants researched it, and no longer believe the filing deadline is 09/04/17.

26 Based on the foregoing circumstances, by and through their respective counsel of record,
27 the parties hereby stipulate and respectfully request the following:
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1. That the deadline for filing Plaintiff’s Response in Opposition to Defendants’ Motion for Summary Judgment or, in the Alternative, Summary Adjudication, be regarded as the filing deadline that would apply under Local Rule 230(c) (09/04/17), if September 4, 2017 were not a holiday – in other words, that the filing deadline be regarded as September 4, 2017; however,

2. Plaintiff’s counsel agrees to email an electronic copy of Plaintiff’s Response in Opposition by 12:00 p.m. (noon), on 09/04/17, to opposing counsel, Kevin Allen, Esq., with the final, redacted version to be filed by the normal filing deadline on that date.

Respectfully submitted,

Dated: August 31, 2017

LAW OFFICE OF SANJAY S. SCHMIDT

By: /s/ Sanjay S. Schmidt
SANJAY S. SCHMIDT
Attorneys for Plaintiff
JOANNE BLIGHT

Dated: August 31, 2017

ALLEN, GLAESSNER, HAZELWOOD & WERTH, LLP

By: /s/ Kevin P. Allen
DALE L. ALLEN, JR.
KEVIN P. ALLEN
Attorneys for Defendants
CITY OF MANTECA, ARMANDO GARCIA, IAN OSBORN, PAUL CARMONA and CHRIS S. MRAZ

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PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED, and the deadline for filing Plaintiff's Response in Opposition to Defendants' Motion for Summary Judgment or, in the Alternative, Summary Adjudication, shall be regarded as the filing deadline that would apply under Local Rule 230(c) (09/04/17), if September 4, 2017 were not a holiday – in other words, that the filing deadline be regarded as September 4, 2017. However, Plaintiff shall email an electronic copy of her Response in Opposition by **12:00 p.m.** (noon), on 09/04/17, to opposing counsel, Kevin Allen, Esq., with the final, redacted version to be filed by the normal filing deadline on that date.

Dated: September 1, 2017



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE