

1 David E. Mastagni, Bar No. 204244  
2 Isaac S. Stevens, Bar No. 251245  
3 Ace T. Tate, Bar No. 262015

4 **MASTAGNI HOLSTEDT**  
5 A Professional Corporation  
6 1912 "I" Street  
7 Sacramento, California 95811  
8 Telephone: 916.446.4692  
9 Facsimile: 916.447.4614

10 Attorneys for Plaintiff

11 CAROLEE G. KILDUFF, SBN 107232  
12 Email: [ckilduff@akk-law.com](mailto:ckilduff@akk-law.com)

13 **ANGELO, KILDAY & KILDUFF, LLP**  
14 Attorneys at Law  
15 601 University Avenue, Suite 150  
16 Sacramento, CA 95825  
17 Telephone: (916) 564-6100  
18 Telecopier: (916) 564-6263

19 Attorneys for Defendant CITY OF FOLSOM

20 **UNITED STATES DISTRICT COURT**

21 **EASTERN DISTRICT OF CALIFORNIA**

22 BRIAN THOMAS, on behalf of himself and all) Case No.: 2:16-cv-02038-WBS  
23 similarly situated individuals, )

24 Plaintiff, )

25 vs. )

26 CITY OF FOLSOM, )

27 Defendants. )  
28

**STIPULATION TO CONTINUE INITIAL  
STATUS CONFERENCE AND RELATED  
DATES; [PROPOSED] ORDER**

29 Plaintiff BRIAN THOMAS ("Plaintiff") and Defendant CITY OF FOLSOM  
30 ("Defendant"), by and through their respective counsel, hereby stipulate as follows:

31 A. WHEREAS, Plaintiff filed its complaint on August 25, 2016, and served  
32 Defendant on November 17, 2016;

1 B. WHEREAS, the Court scheduled an initial status (pretrial scheduling) conference  
2 for January 3, 2017, and the parties' Joint Status Report is due December 20, 2016.

3 C. WHEREAS, the parties stipulated for an extension of time for Defendant to file a  
4 response to the complaint, up to and including January 5, 2017.

5 D. WHEREAS, Defendant will not have formally appeared in this case until after the  
6 current deadline to file a Joint Status Report and the initial status conference has passed.

7 C. WHEREAS, the parties request additional time to evaluate their respective claims  
8 and defenses in order to meaningfully participate in preparation of a joint status report and the  
9 initial status conference.

10 NOW THEREFORE, Plaintiff and Defendant stipulate that:

11 1. It is in the interest of judicial economy to continue the initial status conference  
12 from January 3, 2017, to February 7, 2017. No party will be prejudiced by a continuance of the  
13 initial status conference.

14 2. The parties further stipulate that the Joint Status Report be due on or before  
15 January 24, 2017.

16 3. The parties agree to meet and confer on a discovery plan as required by FRCP  
17 26(f) on or before January 17, 2017.

18 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

19  
20 Dated: December 16, 2016

**ANGELO, KILDAY & KILDUFF, LLP**

21 By: /s/ Carolee G. Kilduff  
22 CAROLEE G. KILDUFF  
23 Attorneys for Defendant  
CITY OF FOLSOM

24 Dated: December 16, 2016

**MASTAGNI HOLSTEDT, APC**

25  
26 By: /s/ Ace T. Tate  
27 DAVID E. MASTAGNI  
28 ISAAC S. STEVENS  
ACE T. TATE  
Attorneys for Plaintiff


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**ORDER**

PURSUANT TO STIPULATION BY THE PARTIES TO THIS CASE, IT IS HEREBY ORDERED THAT:

1. The initial status conference is continued from January 3, 2017, to **February 13, 2017 at 1:30 p.m.**
2. The parties' Joint Status Report is due on or before **January 30, 2017.**
3. The parties shall meet and confer on a discovery plan as required by FRCP 26(f) on or before January 17, 2017.

Dated: December 16, 2016

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE