

1 **SPINELLI, DONALD & NOTT**
 A Professional Corporation
 2 Domenic D. Spinelli, SBN: 131192
 815 S Street, Second Floor
 3 Sacramento, CA 95811
 Telephone: (916) 448-7888
 4 Facsimile: (916) 448-6888

5 Attorneys for Defendants Siskiyou County,
 Siskiyou County Health and Human Services,
 6 Judy Carter, individually and in her capacity as a
 Siskiyou County Health and Human Services employee,
 7 Suzanne Hogue, individually and in her capacity as a
 Siskiyou County Health and Human Services employee,
 8 Alix Byrd, individually

9
 10 **IN THE UNITED STATES DISTRICT COURT**
 11 **IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA**

12 **ANTHONY J. BATOR, IRENE BATOR and**
ELLEN BATOR

Case No.: 2:16-cv-02073-GEB-CMK

13 Plaintiffs,

**JOINT STIPULATION AND ORDER TO
 EXTEND TIME TO RESPOND TO
 PLAINTIFFS' COMPLAINT**

14 vs.

Complaint Filed: August 30, 2016

15 **SISKIYOU COUNTY, SISKIYOU COUNTY**
HEALTH AND HUMAN SERVICES, JUDY
 16 **CARTER, employee of Siskiyou County**
Health and Human Services, JUDY
 17 **CARTER, individually, SUZANNE HOGUE,**
 employee of Siskiyou County Health and
 18 **Human Services, SUZANNE HOGUE,**
 individually, **VIRGINIA RHEA, Probate**
 19 **Court Investigator, VIRGINIA RHEA,**
 individually, **JOANN BICEGO, individually,**
 20 **LAURA MASANAGA, individually,**
CHRISTINE WINTE, individually,
 21 **COURTNEY WINTE, individually, ALIX**
BYRD, Analyst Siskiyou County Health and
 22 **Human Services, ALIX BYRD, individually,**
JOHN LAWRENCE, individually, and DOES
 23 **1-30**

24 Defendants,

25 _____/
 26 Plaintiffs and Defendants Siskiyou County, Siskiyou County Health and Human Services,
 27 Judy Carter, individually and in her capacity as a Siskiyou County Health and Human Services
 28 employee, Suzanne Hogue, individually and in her capacity as a Siskiyou County Health and

1 Human Services employee, Alix Byrd, individually, and John Lawrence, individually (hereinafter
2 collectively as “Defendants”) HEREBY STIPULATE AND AGREE that said Defendants may
3 have approximately a 60-day extension of time (until January 28, 2017) to file responsive pleadings
4 to Plaintiffs’ Complaint. Doing so will provide Defendants sufficient time to obtain information
5 necessary to file responsive pleadings to Plaintiffs’ lengthy Complaint (575 pages). Further,
6 Plaintiffs have filed a substantially similar State Court action; the extension will provide sufficient
7 time to analyze and confirm whether it is procedurally appropriate to remove the state court action
8 to federal court, or remand the federal court action to state court. Defendants intend to pursue the
9 appropriate procedural vehicle and will do so within the appropriate statutory timeframe.

10 Defendants Judy Carter, individually and in her capacity as a Siskiyou County Health and
11 Human Services employee and Alix Byrd have not yet been served in this action. These Defendants
12 are making a special appearance so that, upon service of the summons and complaint, they will be
13 included in the extension of time to January 28, 2017 to respond to the pleading without having to
14 execute and file a separate, additional Stipulation and Proposed Order.

15 This is the first stipulation for an extension of time between the parties.

16
17
18 Dated: November 21, 2016

19 By: /S/ Ellen Bator _____
20 Plaintiff Ellen Bator (signed original
21 maintained by attorney Domenic
Spinelli)

22 Dated: November 21, 2016

23
24 By: /S/ Irene Bator _____
25 Plaintiff Irene Bator (signed original
26 maintained by attorney Domenic
Spinelli)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: November 21, 2016

By: /S/ Anthony J. Bator
Plaintiff Anthony J. Bator (signed
original maintained by attorney
Domenic Spinelli)

Dated: November 21, 2016

SPINELLI, DONALD & NOTT

By: /S/ Domenic D. Spinelli
DOMENIC D. SPINELLI
Attorneys for Defendants Siskiyou
County, Siskiyou County Health and
Human Services, Judy Carter,
individually and in her capacity as a
Siskiyou County Health and Human
Services employee, Suzanne Hogue,
individually and in her capacity as a
Siskiyou County Health and Human
Services employee, Suzanne Hogue,
individually, Alix Byrd, individually

Dated: November 21, 2016

By: /S/ John Lawrence
Defendant John Lawrence (signed
original maintained by attorney
Domenic Spinelli)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

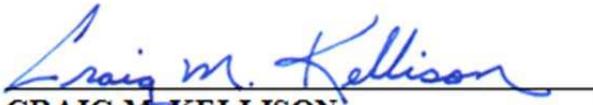
ORDER

Pursuant to the parties' stipulation and good cause showing:

1. The current November 30, 2016 deadline for Defendants Siskiyou County, Siskiyou County Health and Human Services, Judy Carter, individually and in her capacity as a Siskiyou County Health and Human Services employee, Suzanne Hogue, individually and in her capacity as a Siskiyou County Health and Human Services employee, Suzanne Hogue, individually, Alix Byrd, individually, and John Lawrence, individually to file their responsive pleadings is continued.

2. The above-referenced Defendants are ordered to file their responsive pleadings to the instant action and the removed state court action on or before January 28, 2017.

Dated: November 30, 2016


CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE