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11 IN THE UNITED STATES DISTRICT COURT
 12 FOR THE EASTERN DISTRICT OF CALIFORNIA

14 **JESSE VANG et al.,**
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 Plaintiffs,
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 v.
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 18 **SHERIFF JON LOPEY et al.,**
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 Defendants.

No. 2:16-CV-02172-JAM-CMK

**STIPULATION AND ORDER TO
 FURTHER EXTEND TIME FOR CAL
 FIRE TO RESPOND TO COMPLAINT**

Dept: 6
 Judge: The Honorable John A.
 Mendez
 Trial Date: None Set
 Action Filed: Sept. 12, 2016

1 Plaintiffs Jesse Vang et al. and defendant California Department of Forestry and Fire
2 Protection (“CAL FIRE”) have previously stipulated to extend the time for CAL FIRE to respond
3 to the complaint to December 8, 2016, and Court has in an order dated December 2, 2016 (and
4 pursuant to the parties’ stipulation) extended that time to January 7, 2017. The parties are
5 awaiting the Court’s ruling on the motion to dismiss and the motion to strike filed by defendants
6 Sheriff Jon Lopey, Colleen Setzer, and County of Siskiyou (collectively, “Siskiyou County
7 Defendants”); those motions were set for hearing on November 15, 2016. The Court ordered the
8 motions submitted without appearance and without argument. The Court has not yet ruled on
9 those motions. The Court’s ruling on those motions may cause Plaintiffs to file an amended
10 complaint.

11 Pursuant to Rule 144(a) of the Local Rules of Practice for the United States District Court,
12 Eastern District of California, therefore, Plaintiffs, CAL FIRE, Siskiyou County Defendants, and
13 defendant Alex Nishimura hereby stipulate to extend the time for CAL FIRE to respond to the
14 complaint by a further thirty (30) days, to February 6, 2017. If Plaintiffs file an amended
15 complaint, the time to respond shall be set by rule or by the Court, and may be extended by
16 stipulation or by the Court. By executing this stipulation, the parties do not waive any arguments

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1 they may have in this case.

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Respectfully Submitted,

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Dated: January 3, 2017

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/s/ Kyndra S. Miller, as authorized 1/3/17

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KYNDRA S. MILLER
Attorney for Plaintiffs

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Dated: January 3, 2017

KATHLEEN A. KENEALY
Acting Attorney General of California

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/s/ Marc N. Melnick

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MARC N. MELNICK
Deputy Attorney General
*Attorneys for Defendants California
Department of Forestry and Fire Protection
and Alex Nishimura*

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Dated: January 3, 2017

SPINELLI, DONALD & NOTT

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/s/ Domenic D. Spinelli, as authorized 1/3/17

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DOMENIC D. SPINELLI
Attorneys for Siskiyou County Defendants

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IT IS SO ORDERED. Defendant California Department of Forestry and Fire Protection's
19 time to respond to the complaint is extended to February 6, 2017.

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Dated: 1/3/2017

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/s/ John A. Mendez
JOHN A. MENDEZ
Judge of the U.S. District Court

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