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Attorneys for Defendants  
 6 CITY OF STOCKTON and STOCKTON POLICE DEPARTMENT  
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8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

10	SONNY MARTINEZ; JESSICA )	Case No. 2:16-CV-02566-TLN-EFB
	MARTINEZ, individually and as )	
11	the mother and Guardian ad Litem )	<b>STIPULATION AND ORDER</b>
	for minors VJM, GRM, ARM, and )	<b>MODIFYING THE BRIEFING</b>
12	EVM; and JOANN RAMIREZ, )	<b>SCHEDULE AS TO THE CITY</b>
	)	<b>OF STOCKTON'S MOTION TO</b>
13	Plaintiffs, )	<b>DISMISS</b>
	)	<b>[Doc. Nos. 123 and 125]</b>
14	vs. )	
	)	
15	CITY OF WEST SACRAMENTO, )	
	et al., )	
16	)	
	<u>Defendants.</u> )	

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 18 On November 15, 2019 this Court ordered that the hearing on City of Stockton's Motion  
 19 to Dismiss the Second Amended Complaint (Doc. 121) be continued to December 19, 2019; that  
 20 opposition papers be due December 5, 2019; and, that reply papers be due on December 12,  
 21 2019. (See Doc. 123.) Thereafter, Plaintiffs and the City of Stockton stipulated to continue the  
 22 hearing date only as to the City's Rule 12 Motion to Dismiss to February 20, 2020. (See Doc.  
 23 125.)

24 On November 27, 2019, Plaintiffs' counsel Douglas Thorn contacted the undersigned and  
 25 informed of a utility services pole fall/failure at his home-office. It has been represented by  
 26 Plaintiffs' counsel that he is without power and is working with his insurance on getting  
 27 necessary repairs done so as to commence work again. In light of this unforeseen occurrence and  
 28 in an effort to avoid any prejudice to the parties, the City of Stockton and Plaintiffs' counsel have

1 stipulated to continue the briefing schedule as to the City of Stockton's Rule 12 Motion to  
2 Dismiss to coincide with the briefing schedule assigned to the remaining parties. (See Doc. 125.)

3 The undersigned parties thus stipulate and request that the Court modify its orders at Doc.  
4 Nos. 123 and 125 as follows:

5 Opposition by Plaintiffs, if any, to the City of Stockton's Rule 12 (Doc. 121) shall be  
6 filed on or before January 30, 2020;

7 Reply by the City, if necessary, shall be filed on or before February 6, 2020; and,

8 The hearing date shall remain the same as previously ordered, February 20, 2020, 2:00  
9 p.m., Courtroom 2, 15<sup>th</sup> Floor, before Hon. Nunley.

10  
11 **IT IS SO STIPULATED.**

12 Dated: December 2, 2019

JOHN M. LUEBBERKE  
CITY ATTORNEY

13  
14 BY /s/ Jamil R. Ghannam  
15 JAMIL R. GHANNAM  
DEPUTY CITY ATTORNEY

16 Attorneys for Defendants  
17 CITY OF STOCKTON and  
STOCKTON POLICE DEPARTMENT

18  
19 Dated: December 2, 2019

DOUGLAS THORN

20 BY /s/ Douglas Thorn<sup>1</sup>  
21 DOUGLAS THORN

22 Attorneys for Plaintiffs  
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<sup>1</sup> E-signature affixed as authorized by counsel for Plaintiff<sup>s</sup>, Douglas Thorn, on December 2, 2019.

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**ORDER**

The Court, pursuant to the parties' stipulation, hereby modifies its orders at Doc. Nos. 123 and 125 as follows:

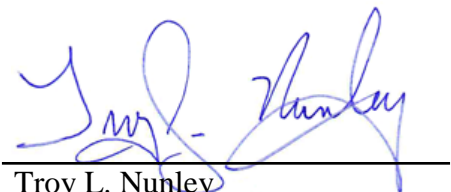
Opposition by Plaintiffs, if any, to the City of Stockton's Rule 12 (Doc. 121) shall be filed on or before January 30, 2020;

Reply by the City, if necessary, shall be filed on or before February 6, 2020; and,

The hearing date shall remain the same as previously ordered, February 20, 2020, 2:00 p.m., Courtroom 2, 15<sup>th</sup> Floor, before Hon. Nunley.

**IT IS SO ORDERED.**

Dated: December 2, 2019



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Troy L. Nunley  
United States District Judge