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4 5	Sacramento, CA 95814 E-mail: joseph.frueh@usdoj.gov Telephone: (916) 554-2702 Facsimile: (916) 554-2900	
6	Attorneys for Defendant DANIEL T. ZWICKY	
7 8	IN THE UNITED S'	LATES DISTRICT COURT
	IN THE UNITED STATES DISTRICT COURT	
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11	SONNY MARTINEZ, et al.,	Case No. 2:16-CV-02566-TLN-EFB
12	Plaintiffs,	STIPULATION AND ORDER RE:
13	v.	DEFENDANT DANIEL T. ZWICKY'S RESPONSE TO PLAINTIFFS' AMENDED
14	CITY OF WEST SACRAMENTO, et al.,	PLEADING
15	Defendants.	
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1	STIPULATION AND ORDER		
2	IT IS HEREBY STIPULATED, by and between Plaintiffs and Defendant Daniel T. Zwicky, and		
3	subject to Court approval, that Defendant Zwicky shall not be required to file an Answer or other		
4	responsive pleading at this time. Plaintiffs and Defendant Zwicky shall file a stipulation and proposed		
5	order on or before March 6, 2019, regarding the timing of Defendant Zwicky's Answer or other		
6	responsive pleading. The reasons for this stipulation are as follows:		
7	1. On March 30, 2017, Defendant Zwicky moved to dismiss the original Complaint.		
8	2. On October 27, 2017, Plaintiffs moved to amend the Complaint and lodged a proposed		
9	First Amended Complaint ("FAC").		
10	3. On February 5, 2019, the Court granted in part and denied in part Plaintiffs' motion to		
11	amend, and denied Defendant Zwicky's motion to dismiss as moot. The Court granted Plaintiffs		
12	30 days to file any additional motion to amend.		
13	4. Plaintiffs are still considering whether to file an additional motion to amend regarding the		
14	claims alleged against Defendant Zwicky. Plaintiffs anticipate that they will make a determination on or		
15	before March 6, 2019.		
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	STIP. & Order Re: 1 Def. Zwicky's Resp. to Pls.' Am. Pleading		

1	5. Whether Plaintiffs file an additional motion to amend or proceed with the FAC (as		
2	modified by the Court's Order, ECF No. 69), Plaintiffs will provide Defendant Zwicky with at least		
3	30 days to file a response after they make their determination.		
4	Dated: February 20, 2019	McGREGOR W. SCOTT	
5		United States Attorney	
6 7	By:	<u>/s/ Joseph B. Frueh</u> JOSEPH B. FRUEH Assistant United States Attorney	
8		Attorneys for Defendant	
9		DANIEL T. ZWICKY	
10	Dated: February 20, 2019	THORN LAW FIRM	
11	By:	/s/ Douglas R. Thorn (authorized 2/20/2019)	
12		<u>/s/ Douglas R. Thorn</u> (authorized 2/20/2019) DOUGLAS R. THORN	
13		Attorney for Plaintiffs	
14	IT IS SO ORDERED		
15	Dated: February 26, 2019		
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19		Troy L. Nunley	
20		United States District Judge	
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STIP. & ORDER RE: DEF. ZWICKY'S RESP. TO PLS.' AM. PLEADING