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

12
 13 **LARRY C. FLYNT, HAIG KELEGIAN,
 SR., and HAIG T. KELEGIAN, JR.,**

14 Plaintiffs,

15 v.

16
 17 **KATHLEEN A. KENEALY, in her official
 capacity as ACTING ATTORNEY
 18 GENERAL of CALIFORNIA, WAYNE
 QUINT, JR., in his official capacity as the
 19 CHIEF of the CALIFORNIA
 DEPARTMENT OF JUSTICE, BUREAU of
 20 GAMBLING CONTROL, an agency of the
 STATE of CALIFORNIA, and JIM
 21 EVANS, LAUREN HAMMOND, and
 TRANG TO, in their official capacities as
 22 members of the CALIFORNIA
 GAMBLING CONTROL COMMISSION,
 23 an agency of the STATE of CALIFORNIA,**

24 Defendants.

Case No. 2:16-cv-02831-JAM-EFB

**STIPULATION AND ORDER
 EXTENDING TIME TO RESPOND TO
 COMPLAINT FOR DECLARATORY
 AND INJUNCTIVE RELIEF**

Courtroom: 6
 Judge: The Honorable John A.
 Mendez
 Trial Date: None Set
 Action Filed: November 30, 2016

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 26
 27 WHEREAS, defendants Kathleen A. Kenealy, in her official capacity as Acting Attorney

1 General of California, Wayne Quint, Jr., in his official capacity as the Chief of the California
2 Department of Justice, Bureau of Gambling Control, and Jim Evans, Lauren Hammond, and
3 Trang To, in their official capacities as members of the California Gambling Control Commission
4 (collectively, Defendants), intend to file a motion to dismiss Plaintiffs' Complaint for Declaratory
5 and Injunctive Relief pursuant to Rule 12 of the Federal Rules of Civil Procedure; and

6 WHEREAS, on December 22, 2016, counsel for plaintiffs Larry C. Flynt, Haig Kelegian,
7 Sr., and Haig Kelegian, Jr. (collectively, Plaintiffs) and counsel for Defendants stipulated and
8 agreed that, pursuant to Local Rule 144(a), the time for Defendants to respond to Plaintiffs'
9 Complaint for Declaratory and Injunctive Relief be extended for twenty-eight days to January 26,
10 2017; and

11 WHEREAS, counsel for Plaintiffs and counsel for Defendants have initiated the meet and
12 confer process for Defendants' motion to dismiss, as required by the Court's standing order, but
13 due to the unavoidable unavailability of counsel for Plaintiffs due to a family illness, the meet and
14 confer conference scheduled for January 20, 2017, was cancelled, and must be postponed until
15 Tuesday, January 24, 2017, less than five days prior to the last day for filing Defendants' motion
16 to dismiss.

17 For all the foregoing reasons, IT IS HEREBY STIPULATED AND AGREED by the
18 parties hereto, through their undersigned counsel, and subject to the approval of the Court, that
19 the time for Defendants to respond to Plaintiffs' Complaint for Declaratory and Injunctive Relief
20 be extended for five days to January 31, 2017, to allow counsel for the parties to complete the
21 meet and confer process for Defendants' proposed motion to dismiss.

1 Dated: January 23, 2017

Respectfully submitted,

2 KATHLEEN A. KENEALY
Acting Attorney General of California
3 SARA J. DRAKE
Senior Assistant Attorney General
4 PETER H. KAUFMAN
Deputy Attorney General

5
6 /s/ James G. Waian

7 JAMES G. WAIAN
Deputy Attorney General
8 *Attorneys for Defendants*

9 Dated: January 23, 2017

LIPSITZ GREEN SCIME CAMBRIA LLP
10 PAUL J. CAMBRIA, JR.
ERIN E. MCCAMPBELL

11
12 /s/ Paul J. Cambria, Jr.
(as authorized on January 21, 2017)

13 PAUL J. CAMBRIA, JR.
14 LIPSITZ GREEN SCIME CAMBRIA LLP
15 *Attorneys for Plaintiffs*

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17 **ORDER**

18 Upon full consideration of the Stipulation of counsel, and for good cause shown, **IT IS**
19 **HEREBY ORDERED** that the time for Defendants to respond to Plaintiffs' Complaint for
20 Declaratory and Injunctive Relief be extended for five days to January 31, 2017.

21
22 **DATED: 1/23/2017**

23 /s/ John A. Mendez _____

24 HONORABLE JOHN A. MENDEZ