

1 BRUCE A. KILDAY, SB No. 66415
 2 SEAN D. O'DOWD, SB No. 296320
 3 **ANGELO, KILDAY & KILDUFF, LLP**
 Attorneys at Law
 4 601 University Avenue, Suite 150
 Sacramento, CA 95825
 Telephone: (916) 564-6100
 5 Telecopier: (916) 564-6263

6 Attorneys for Defendants CITY OF OROVILLE,
 JOHN SCOTT NICKELSON, SHANE CARPENTER, and
 7 CHRISTOPHER NICODEMUS

8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**

10	JEREMY GENE HUNTER,)	Case No.: 2:17-cv-00017-MCE-CMK
11)	
12	Plaintiff,)	
13	vs.)	STIPULATION AND ORDER FOR
14)	WITHDRAW ECF NOS. 5-8 AND FOR
15	CITY OF OROVILLE, a municipal)	EXTENSION OF TIME TO RESPOND
16	corporation; JOHN SCOTT NICKELSON,)	TO COMPLAINT
17	individually and in his capacity as an)	
18	officer for the OROVILLE Police)	
19	Department; SHANE CARPENTER,)	
20	individually and in his capacity as an)	
21	officer for the OROVILLE Police)	
22	Department; CHRISTOPHER)	
23	NICODEMUS, individually and in his)	
24	capacity as an officer for the OROVILLE)	
25	Police Department; and DOES 1- 50,)	
26	inclusive, jointly and severally,)	
27)	
28	Defendants.)	

24 Plaintiff JEREMY GENE HUNTER (“Plaintiff”) and Defendants CITY OF OROVILLE,
 25 JOHN SCOTT NICKELSON, SHANE CARPENTER, and CHRISTOPHER NICODEMUS
 26 (hereafter “Defendants”), by and through their respective counsel of record, hereby stipulate to,
 27 and respectfully request, that the Court order docket entries ECF Nos. 5-8 be withdrawn.

28 ///

1 WHEREAS Service on Defendants herein was not properly effectuated, and therefore
2 docket entries ECF Nos. 5-8 (“Summons Returned Executed”) were erroneously filed with this
3 Court;

4 WHEREAS Defendants’ counsel has agreed to accept service of the documents identified
5 in docket entries ECF Nos. 5-8 via Notice and Acknowledgment of Receipt as of February 2,
6 2017, and;

7 WHEREAS the Parties herein have agreed Defendants shall have sixty (60) days from
8 February 2, 2017, or until April 3, 2017, to file and serve a responsive pleading thereto.

9 IT IS HEREBY STIPULATED that the parties request that the Court orders docket
10 entries ECF 5, 6, 7, and 8 withdrawn, and that Defendants’ responsive pleading is due to be filed
11 and served no later than April 3, 2017.

12
13 Dated: February 2, 2017

ANGELO, KILDAY & KILDUFF, LLP

/s/ Bruce A. Kilday

14
15
16 By: _____

BRUCE A. KILDAY

Attorneys for Defendants CITY OF

OROVILLE, JOHN SCOTT

NICKELSON, SHANE CARPENTER,

and CHRISTOPHER NICODEMUS

17
18
19
20 Dated: February 2, 2017

CANNATA, O’TOOLE, FICKES &
ALMAZAN LLP

/s/ Mark P. Fickes

21
22
23 By: _____

MARK P. FICKES Attorneys for

Plaintiff, JEREMY GENE HUNTER


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

GOOD CAUSE APPEARING, Plaintiff's docket entries ECF Nos. 5-8 are hereby withdrawn. Defendants are ordered to file and serve a responsive pleading to the Complaint no later than April 3, 2017.

IT IS SO ORDERED.

Dated: February 7, 2017


MORRISON C. ENGLAND, JR
UNITED STATES DISTRICT JUDGE