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

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 13 **CALIFORNIA FIRE CHIEFS**  
**ASSOCIATION, INC.,**

14 Plaintiff,

15 v.

16  
 17 **HOWARD BACKER, ET AL.,**

18 Defendant(s)

2:17-cv-00116-JAM-KJN

**JOINT STIPULATION EXTENDING  
 TIME FOR DEFENDANTS TO  
 RESPOND TO COMPLAINT AND  
 ORDER THEREON [Local Rule 144(a)]**

Courtroom: 6, 14<sup>th</sup> Floor  
 Judge: The Honorable John A.  
 Mendez  
 Trial Date: None Set  
 Action Filed: January 18, 2017

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 20 **JOINT STIPULATION EXTENDING TIME FOR DEFENDANTS TO RESPOND TO**  
**COMPLAINT**

21 Pursuant to Local Rule 144(a), Plaintiff California Fire Chiefs Association, Inc. and  
 22 Defendants Howard Backer and Daniel Smiley, by and through their respective counsel, hereby  
 23 stipulate to grant Defendants additional time to respond to Plaintiff's Complaint as set forth  
 24 below:

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1 WHEREAS, Plaintiff filed a Complaint on January 18, 2017 naming Howard Backer and  
2 Daniel Smiley, in their official capacities, as Defendants in this action;

3 WHEREAS, on January 31, 2017, Plaintiff served Defendants with a Waiver of Summons  
4 and Complaint;

5 WHEREAS, pursuant to Federal Rule of Civil Procedure 12(a)(1)(A)(ii), Defendants'  
6 response to Plaintiff's Complaint is due April 3, 2017;

7 WHEREAS, the parties joint status report is due on April 3, 2017;

8 WHEREAS, Defendants require additional time in which to respond to Plaintiff's  
9 Complaint;

10 WHEREAS, the parties request additional time in which to file a joint status report;

11 WHEREAS, in the interest of justice and in an effort to enhance judicial efficiency and  
12 preserve resources, Plaintiff agrees to grant Defendants twenty-one (21) days additional time in  
13 which to respond to the Complaint and the parties agree to extend the time to file a joint status  
14 report until fourteen (14) days after defendant files an answer to the complaint or the Court issues  
15 an Order on defendants' motion to dismiss;

16 WHEREAS, the extension sought will not alter any other date of any event or deadline  
17 already fixed by Court Order.

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1 NOW THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE that the time  
2 in which Defendants shall respond to the Complaint in this action shall be continued twenty-one  
3 days (21) days until April 24, 2017 and the time for the parties to file a joint status report shall be  
4 continued until fourteen (14) days after defendant files an answer to the complaint or the Court  
5 issues an order on defendants' motion to dismiss.

6 Dated: March 30, 2017

Respectfully submitted,

7 XAVIER BECERRA  
8 Attorney General of California  
9 ISMAEL A. CASTRO  
Supervising Deputy Attorney General

10 */s/ Renu R. George*

11 RENU R. GEORGE  
12 Deputy Attorney General  
*Attorneys for Defendants Howard Backer  
and Daniel Smiley, in their official capacities*

13 */s/ Joseph T. Ergastolo*

14 JOSEPH T. ERGASTOLO  
15 Law Office of Wright, L'Estrange &  
16 Ergastolo  
*Attorney for Plaintiff California Fire Chiefs  
Association, Inc.*

17 Dated: March 30, 2017

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**ORDER THEREON**

Based on the Parties' above Joint Stipulation, IT IS HEREBY SO ORDERED THAT the Defendants' time to serve and file a response to Plaintiff's Complaint in the above entitled action shall be extended from April 3, 2017 to April 24, 2017 pursuant to Local Rule 144(a). Further, the parties time to file a joint status report shall be extended until fourteen (14) days after defendant files an answer to the complaint or the Court issues an order on defendants' motion to dismiss.

DATED: 3/30/2017

/s/ John A. Mendez

United States District Court Judge