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8 Attorneys for Plaintiffs

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

11 JANETTE RAMIREZ, individually and as a
12 representative of the Estate of ROBERTO
13 BALDIZON, Deceased; ANA
14 JUSCAMAITA, individually and as a
15 representative of the Estate of ROBERTO
16 BALDIZON, Deceased; and THE ESTATE
17 OF ROBERTO BALDIZON,

18 Plaintiffs,

19 v.

20 JEFFREY MACOMBER, individually and in
21 his official capacity as Former Warden of
22 California State Prison-Sacramento and
23 DOES 1 through 100, inclusive, in their official
24 and personal/individual capacities,

25 Defendants.

Case No. 2:17-CV-00228-WBS-AC

**STIPULATION AND [PROPOSED]
ORDER TO FILE THIRD AMENDED
COMPLAINT**

26 Plaintiff Janette Baldizon and Ana Juscamaita, and Defendant Macomber, through their
27 counsel, stipulate as follows:

- 28 1. Defendant Macomber was served with the summons and Second Amended Complaint
in this matter on August 30, 2017;
2. Counsel met and conferred concerning allegations in the complaint in anticipation of
filing a Motion to Dismiss under Federal Rule of Civil Procedure 12(b)(6);

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3. As part of the meet and confer process the parties stipulated the time for Defendant Macomber to respond to the Second Amended Complaint was extended to September 29, 2017; and
 4. The parties now stipulate Plaintiff may file a Third Amended Complaint. Said Third Amended Complaint shall be filed no later than September 28, 2017.

7 Dated: September 27, 2017. Respectfully submitted,

8 BARTH DALY LLP

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10 By /s/ Kresta Nora Daly
KRESTA NORA DALY
Attorneys for Plaintiffs

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12 Dated: September 27, 2017. Respectfully submitted,

13 XAVIER BECERRA


14 ATTORNEY GENERAL OF CALIFORNIA

15
16 By /s/ R. Lawrence Bragg
R. LAWRENCE BRAGG
Acting Supervising Deputy Attorney General
Attorneys for Defendant Macomber

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20 ORDER

21 In light of the stipulation of the parties, and good cause appearing, it is ordered that
22 Plaintiff may file a Third Amended Complaint which shall be filed no later than September 28,
23 2017.

24 Dated: September 28, 2017

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26 WILLIAM B. SHUBB
27 UNITED STATES DISTRICT JUDGE
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