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 17 CITY OF STOCKTON, STOCKTON POLICE
 DEPARTMENT, ERIC T. JONES, and DAVID
 18 WELLS

19 UNITED STATES DISTRICT COURT
 20 EASTERN DISTRICT OF CALIFORNIA
 21 SACRAMENTO DIVISION

22 L.F., et al.,
 23 Plaintiffs,
 24 vs.
 25 CITY OF STOCKTON, et al.,
 26 Defendants.

Case No. 2:17-cv-01648-KJM-DB
**STIPULATION FOR EXTENSION OF TIME
 FOR FILING OF FED. R. CIV. P. 12(f)
 MOTIONS; [PROPOSED] ORDER**

27 Pursuant to E.D. Cal. L.R. 143 and 144, the parties, Plaintiffs L.F. and K.F. (collectively,
 28 "Plaintiffs") and Defendants City of Stockton, Stockton Police Department, Eric T. Jones, and David

1 Wells (collectively, “Defendants”), stipulate to a 7-day extension of time for the filing of Fed. R. Civ. P.
2 12(f) motions in relation to Defendants’ responsive pleadings, ECF Nos. 13, 14, and 15.

3 **STATEMENT OF RELEVANT FACTS**

4 On September 29, 2017, Defendants filed their currently-operative First Amended Answers. *See*
5 ECF Nos. 13, 14, and 15. Plaintiffs sought from Defendants the withdrawal or amendment of the
6 affirmative defenses alleged therein, pursuant to Fed. R. Civ. P. 12(f). A party is obligated to file a Fed.
7 R. Civ. P. 12(f) motion “within 21 days after being served with the pleading” to be challenged. *See* Fed.
8 R. Civ. P. 12(f)(2). Accordingly, by regular operation of the Rule, Plaintiffs must file Fed. R. Civ. P.
9 12(f) motions to strike the affirmative defenses from Defendants’ pleadings by October 20, 2017.

10 Pursuant to the Court’s Order, ECF No. 3-1 at 3:13-22, the parties’ counsel have engaged in
11 extensive meet and confer efforts, including written correspondences and a telephonic conference,
12 concerning the affirmative defenses alleged in Defendants’ currently-operative First Amended Answers.
13 Those efforts remain ongoing, as of this date.

14 **STIPULATION**

15 The parties hereby stipulate that Plaintiffs shall receive a 7-day extension of time to file Fed. R.
16 Civ. P. 12(f) motions to strike the affirmative defenses alleged in Defendants’ currently-operative First
17 Amended Answers, ECF Nos. 13, 14, and 15. By application of this extension, Plaintiffs shall file their
18 Fed. R. Civ. P. 12(f) motions by October 27, 2017.

19 IT IS SO STIPULATED.

20 Dated: October 20, 2017

LAW OFFICE OF MARK E. MERIN

21 /s/ Mark E. Merin

22 By: _____

23 Mark E. Merin

24 Attorney for Plaintiffs

25 Dated: October 20, 2017

MAYALL, HURLEY, P.C.

26 /s/ Mark E. Berry
27 (as authorized on October 20, 2017)

28 By: _____

Mark E. Berry

Attorney for Defendants

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ORDER

The parties stipulate that Plaintiffs shall receive a 7-day extension of time to file Fed. R. Civ. P. 12(f) motions to strike the affirmative defenses alleged in Defendants' currently-operative First Amended Answers, ECF Nos. 13, 14, and 15. By application of this extension, Plaintiffs shall file their Fed. R. Civ. P. 12(f) motions by October 27, 2017.

IT IS SO ORDERED.

Dated: October 23, 2017.


UNITED STATES DISTRICT JUDGE