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**P O R T E R | S C O T T**  
A PROFESSIONAL CORPORATION  
John R. Whitefleet, SBN 213301  
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Attorney for Defendants DAVID SAMSON, JAMES MIDDLETON, DEVON SMITH

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

CODY DICKERSON,  
  
Plaintiff,

Case No.: 2:17-cv-01927-TLN-EFB

v.

**STIPULATION AND ORDER FOR  
PLAINTIFF TO FILE A FIRST  
AMENDED COMPLAINT, AND FOR  
SERVICE OF SAME**

DAVID SAMSON, individually and as a  
captain of the Sutter County Sheriff's  
Department, JAMES MIDDLETON,  
individually and as a deputy of the Sutter  
County Sheriff's Department, AND DEVON  
SMITH, individually and as a deputy of the  
Sutter County Sheriff's Department, and  
DOES 1 THROUGH 20, inclusive,  
  
Defendant.

Complaint Filed: September 15, 2017

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Defendants,  
by and through their undersigned Counsel, pursuant to Eastern District Local Rule 143 and 144 as  
follows:

- 1) The parties have met and conferred regarding deficiencies and ambiguities in the  
Complaint filed, and Defendants' pending Motion to Dismiss.

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- 2) In the interest of expediting this matter, the parties agree that a First Amended Complaint would resolve some of the technical deficiencies raised in the current Motion to Dismiss.
- 3) The parties stipulate and further respectfully request that the Court grant Plaintiff leave to file a First Amended Complaint, attached.
- 4) The parties further stipulate that Defendants may have up to and including March 16, 2018 to respond to the First Amended Complaint. Good cause exists for this time to respond as the parties continue to explore the potential for early resolution.

**IT IS SO STIPULATED.**

Dated: February 12, 2018

Respectfully submitted,  
PORTER SCOTT  
A PROFESSIONAL CORPORATION

By /s/John R. Whitefleet (authorized on 2/8/18)  
John R. Whitefleet  
Attorney for Defendants

Dated: February 12, 2018

LAW OFFICE OF MICHAEL J. TREZZA

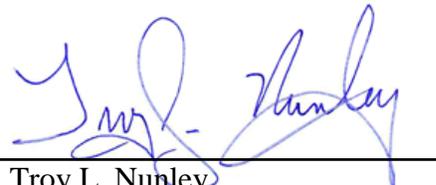
By /s/ Michael J. Trezza  
Michael J. Trezza  
Attorney for Plaintiff

**ORDER**

GOOD CAUSE appearing, the Court hereby grants Plaintiff leave to file the First Amended Complaint.<sup>1</sup> Defendants shall have up to March 16, 2018 to respond.

**IT IS SO ORDERED.**

Dated: 2/12/2018

  
Troy L. Nunley  
United States District Judge

<sup>1</sup> The Court notes Plaintiff has already filed the First Amended Complaint on the docket without the Court having approved the stipulation. The parties shall refrain from making future filings in connection with stipulations prior to the stipulation being signed.