

1 CREGGER & CHALFANT LLP
 ROBERT L. CHALFANT, SBN 203051
 2 Email: rlc@creggerlaw.com
 701 University Avenue, Suite 110
 3 Sacramento, CA 95825
 Phone: 916.426-1889
 4 Fax: 916.443-2124
 Attorneys for Defendant COUNTY OF
 5 SACRAMENTO

6 Patrick H. Dwyer, SBN 137743
 P.O. Box 1705
 7 Penn Valley, CA 95946
 Grass Valley, CA 95949
 8 Telephone: (530) 432-5407
 Fax: (530) 432-9122
 9 Email: pdwyer@pdwyerlaw.com
 Attorney for Plaintiff ARAM MKRTCHYAN

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

14 ARAM MKRTCHYAN, an individual,
 15 Plaintiff,

16 vs.

17 SACRAMENTO COUNTY,
 CALIFORNIA, a county government and
 18 the operator of the Sacramento County
 Sheriff's Department and its Correctional
 19 Health Services Division; and the
 following persons as individual and in their
 20 capacity as officials, employees or
 contractors of Sacramento County: R.
 21 SCOTT JONES; GRANT NUGENT;
 DEPUTY DOMINGUEZ; DEPUTY
 22 YANG; DEPUTY GROUT; DEPUTY
 MEIER; and DOES 1-40, inclusive,
 23 Defendants.
 24

Case No.: 2:17-CV-2366-TLN-KJN

**STIPULATION TO FURTHER EXTEND
 TIME TO COUNTY OF SACRAMENTO
 DEFENDANTS TO FILE A RESPONSIVE
 PLEADING TO FIRST AMENDED
 COMPLAINT; EXTEND TIME TO FILE
 JOINT STATUS REPORT AND ORDER
 THEREON**

25 WHEREAS, on December 5, 2017, Plaintiff filed a First Amended Civil Complaint for
 26 Damages in the United Stated District Court for the Eastern District of California, Sacramento,
 27 Case, No.: 2:17-CV-2366-TLN-KJN;

28 ///

STIPULATION AND ORDER TO FURTHER EXTEND
 TIME FOR COUNTY DEFENDANTS TO FILE
 RESPONSIVE PLEADING
 Case No. 2:17-CV-2366-TLN-KJN

1 WHEREAS, on December 11, 2017, Plaintiff served the First Amended Civil Complaint
2 on the County of Sacramento;

3 WHEREAS, on December 28, 2017, the County of Sacramento retained Robert Chalfant
4 as lead defense counsel in this matter;

5 WHEREAS, Defendant County of Sacramento's response to the Complaint was due to be
6 filed by January 2, 2018

7 WHEREAS, there is currently a dispute as to whether Plaintiff properly served
8 Defendants in this matter;

9 WHEREAS, in order to resolve the dispute regarding service, Counsel for the County of
10 Sacramento has agreed to seek authorization to waive service from each of the named defendants;

11 WHEREAS, on January 5, 2018, this Court ordered that Defendant County of Sacramento
12 may have an extension of time up to and including February 2, 2018, within which to file a
13 responsive pleading to plaintiff's First Amended Complaint;

14 WHEREAS, counsel for Defendant County of Sacramento has received permission to
15 waive service from five of the six individual defendants, and has been unable to reach the sixth
16 individual defendant as he is presently on vacation out of the country;

17 WHEREAS, resolving the service issues would allow one responsive pleading to be filed,
18 instead of several being filed at different times;

19 WHEREAS, counsel for Defendant County of Sacramento and Plaintiff have met and
20 conferred in an attempt to resolve these issues prior to Defendant filing a motion to quash or
21 dismiss;

22 WHEREAS, in an attempt to avoid motions practice, counsel have agreed that the County
23 of Sacramento may have an further extension of time up to and including February 16, 2018,
24 within which to file its Responsive pleading, in any manner permitted under the Federal Rules of
25 Civil Procedure;

26 FURTHER, WHEREAS, pursuant to this Court's Order Re Joint Status Report (Doc #3) a
27 joint status report is due 30 days after service, or February 9, 2018;

1 WHEREAS, all the parties will not have appeared by February 9, 2018, and the pleadings
2 will still be unsettled;

3 WHEREAS, the parties have agreed that a joint status report filed prematurely will not
4 reflect the status of the case, and the deadline should be extended to 30 days after the filing of
5 defendants' response to the First Amended Complaint, or April 16, 2018;

6 FURTHER, WHEREAS, counsel for Defendant County of Sacramento has suffered the
7 death of his father this week and is currently unavailable to work on responsive pleading or
8 service issues;

9 NOW THEREFORE, the parties by way of their attorneys stipulate as follows:

10 1. Defendant County of Sacramento may have a further extension of time up to and
11 including February 16, 2018, within which to file its Responsive pleading to the First Amended
12 Complaint in any manner permitted under the Federal Rules of Civil Procedure.

13 2. The parties may have a 30-day extension of time to and including April 16, 2018,
14 within which to file a Joint Status Report.

15 IT IS SO STIPULATED.

16 DATE: February 1, 2018

CREGGER & CHALFANT LLP

18 /s/ Robert L. Chalfant
19 ROBERT L. CHALFANT
20 Attorneys for Defendant COUNTY OF
SACRAMENTO

21 DATE: February 1, 2018

22
23 /s/ Patrick H. Dwyer
24 PATRICK H. DWYER
Attorney for Plaintiff ARAM MKRTCHYAN

25
26 **ORDER**

27 After considering the Stipulation by and between the parties through their counsel of
28

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

record, IT IS HEREBY ORDERED THAT:

1. Defendant, County of Sacramento, may have a further extension of time up to and including February 16, 2018, within which to file a Responsive pleading to Plaintiff's First Amended Complaint; in any manner permitted under the Federal Rules of Civil Procedure;

2. The parties may have a 30-day extension of time to and including April 16, 2018, within which to file a Joint Status Report.

IT IS SO ORDERED.

Dated: 2/12/2018



Troy L. Nunley
United States District Judge