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Manes, California Department of Corrections and
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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF CALIFORNIA
11 SACRAMENTO DIVISION

13 **M.B. III, a minor, by and through his**
14 **Guardian Ad Litem, TITICE BEVERLY,**
15 **individually and as Successor in Interest**
16 **and Personal Representative of the Estate of**
MILTON BEVERLY, JR., et al.,

17 Plaintiffs,

18 v.

19 **STATE OF CALIFORNIA, et al.,**

20 Defendants.

2:17-cv-02395 WBS DB

**STIPULATION FOR EXTENSION OF
TIME FOR DEFENDANTS MANES AND
MUNROE TO FILE A RESPONSIVE
PLEADING; [PROPOSED] ORDER**

22 Defendants Manes and Munroe were recently served with this lawsuit and their deadline to
23 file a responsive pleading to the third amended complaint is August 13, 2018. The parties,
24 through their counsel of record, agree to and request an extension of time for Manes and Munroe
25 to file their responsive pleading. They request that this responsive pleading be due twenty-one
26 days following either the Court's ruling on the pending motion to dismiss or, if ordered, the filing
27 of a fourth amended complaint.
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1 The instant stipulation is necessitated by the fact that a motion to dismiss has already been
2 filed by Defendants Baughman and the California Department of Corrections and Rehabilitation.
3 (ECF No. 33.) That motion is currently pending before the Court and is set for hearing on August
4 20, 2018. A ruling on the motion to dismiss could significantly effect what causes of action
5 Manes and Munroe must respond to in their responsive pleading. A ruling could also result in an
6 order to file a fourth amended complaint. Furthermore, there are additional defendants that
7 Plaintiff is currently attempting to serve. Granting the stipulated extension of time would reduce
8 the likelihood of duplicative motions to dismiss and increases the chances that all defendants
9 could simply be included in one responsive pleading.

10 Based on the foregoing, the parties stipulate as follows: a responsive pleading for Manes
11 and Munroe is due twenty-one days following either the Court's ruling on the pending motion to
12 dismiss or, if ordered, the filing of a fourth amended complaint.

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14 Dated: August 13, 2018

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
JON S. ALLIN
Supervising Deputy Attorney General

/s/Matthew Ross Wilson

MATTHEW ROSS WILSON
Deputy Attorney General
*Attorneys for Defendants
Manes, California Department of
Corrections and Rehabilitation, Baughman,
and Munroe*

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22 Dated: August 13, 2018

GLICKMAN & GLICKMAN
A LAW CORPORATION

/s/Nicole E. Hoikka (as auth. on 8/12/18)

STEVEN C. GLICKMAN
NICOLE E. HOIKKA
Attorneys for Plaintiffs


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ORDER

Good cause appearing, the parties' stipulation for an extension of time for Defendants Manes and Munroe to file a responsive pleading is GRANTED. Defendants Manes and Munroe's responsive pleading is due twenty-one days after either a ruling on the pending motion to dismiss or, if ordered, the filing of a fourth amended complaint.

IT IS SO ORDERED.

Dated: August 13, 2018


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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