

1 DAN P. BAILEY
 1871 Skyway
 2 Chico, California 95928
 Telephone: (530) 774-5323
 3 Fax (530) 902-9000 – 24/7
 Email: [Dan P Bailey@hotmail.com](mailto:Dan_P_Bailey@hotmail.com)
 4 Plaintiff, In Propria Persona

5 BARBARA A. BLACKBURN, Bar No. 253731
 DOUGLAS L. ROPEL, Bar No. 300486
 6 LITTLER MENDELSON, P.C.
 500 Capitol Mall
 7 Suite 2000
 Sacramento, CA 95814
 8 Telephone: 916.830.7200
 Fax No.: 916.561.0828

9 Attorneys for Defendant
 10 ENLOE MEDICAL CENTER

11
 12
 13 IN THE UNITED STATES DISTRICT COURT
 14 FOR THE EASTERN DISTRICT OF CALIFORNIA

15 DANIEL PAUL BAILEY, Individual,	§	Case No. 2:18-cv-00055-KJM-CMK
	§	
16 v.	§	PARTIES STIPULATION TO
	§	SERVICE VIA EMAIL; PRO SE
	§	PLAINTIFF EFILE; PARTIES USE
	§	OF COURT CALL
17 ENLOE MEDICAL CENTER, Domestic	§	
18 Nonprofit Corporation	§	

19 **PARTIES STIPULATE TO PRO SE PLAINTIFF, EFILE**

20 Plaintiff and Defendant hereby stipulate to Pro Se Plaintiff Dan Bailey being permitted to
 21 use electronic filing via the Court’s Case Management/Electronic Case Files system
 22 (“CM/ECF”), pursuant to Local Rule 133(b)(3).

23 **STATEMENT OF FACTS IN SUPPORT OF REQUEST**

24 1. Plaintiff Dan P. Bailey (Bailey) lives in Chico, California and is over ninety (90)
 25 miles from the Federal Court House in Redding and approximately the same for Sacramento. It
 26 is a hardship for plaintiff travel 200 miles to file documents, and / or get copies on short notice.

1 2. Furthermore, Plaintiff works in a job requiring many days traveling out of town
2 and thus, cannot regularly check the mail box. Also, Plaintiff's mail box is on a heavily traveled
3 public road and subject occasionally to vandals or theft.

4 3. Plaintiff, believes will be more reliable, convenient and facilitate faster response
5 time.

6 4. Further, notices that come through the ECF by email are almost instant and if
7 Plaintiff must rely on hard copy via U.S. Postal mail, the delay in between mailing by the clerk
8 and receipt by plaintiff can take several days to a week.

9 5. Plaintiff's Dan P. Bailey current e-mail address is: [Dan P Bailey@hotmail.com](mailto:Dan_P_Bailey@hotmail.com).

10 6. Defendant, through its attorneys, also relies on the CM/ECF filing and service
11 through the system.

12 7. Plaintiff will necessarily need to handle the matters in the instant action regarding
13 responding timely to the notices of the Court and the defense after normal business hours and on
14 weekends further necessitating the use of the CM/ECF filing system.

15 8. Plaintiff and his assistant have read the online Pacer documentation regarding
16 efilings.

17 9. Further Plaintiff also has read the EDC Local Rule 133 and agrees to abide by all
18 applicable statutes and or rules regarding the use of Case Management/Electronic Case Files
19 (CM/ECF) system.

20 10. Plaintiff hereby stipulates and agrees to abide by all Pacer rules.

21 11. Defendant does not stipulate to service of process as provided by FRCP
22 5(b)(2)(E), (b)(3); but has agreed to send to Plaintiff a courtesy copy via email in addition to
23 using the U.S. Mail to serve documents.

24 12. Plaintiff understands Defendant has not consented to electronic service of process.
25 However, Defendant's attorney Douglas Ropel has agreed to send a courtesy copy of all
26 communications, summons, notices, by email in addition to the normal use of the U.S. Mail or
27 other FRCP-approved service methods.

28 ///

1 13. Plaintiff agrees to send a courtesy copy to Defendant of all communications,
2 summons, notices, and efile documents in addition to the normal use of the U.S. Mail.

3 Respectfully submitted,

4 Dated: May 29, 2018
5

6
7 /s/ Dan P. Bailey (original signature retained
8 by Defendant's counsel Douglas Ropel)
9 DAN P. BAILEY, Plaintiff
10 In Propria Persona

11 Dated: May 29, 2018

12
13 /s/ Douglas L. Ropel
14 BARBARA A. BLACKBURN
15 DOUGLAS L. ROPEL
16 LITTLER MENDELSON, P.C.
17 Attorneys for Defendant
18 ENLOE MEDICAL CENTER

19
20 **ORDER**

21 Good cause appearing, **IT IS SO ORDERED.**

22 Dated: May 30, 2018

23 
24 CRAIG M. KELLISON
25 UNITED STATES MAGISTRATE JUDGE
26
27
28