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5 Attorneys for Defendants  
6 CITY OF STOCKTON, STOCKTON POLICE DEPARTMENT,  
ERIC JONES, KEVIN JAYE HACHLER, ERIC B. HOWARD,  
7 MICHAEL GANDY, CONNER NELSON, and SGT. UNDERWOOD

8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10 FRANCISCO DUARTE AND ) Case No. 2:19-cv-00007-MCE-CKD  
11 ALEJANDRO GUTIERREZ, )  
12 Plaintiffs, ) **JOINT STIPULATION AND ORDER**  
13 vs. ) **FOR LEAVE TO FILE AN AMENDED**  
14 CITY OF STOCKTON, et al., ) **ANSWER TO THE OPERATIVE FIRST**  
15 Defendants. ) **AMENDED COMPLAINT**  
16 \_\_\_\_\_ )

17 On October 19, 2020, the Court issued an order that Defendants file an answer to the First  
18 Amended Complaint within 10 days. (See Minute Order at Doc. 65.) Defendants thereafter  
19 immediately responded to the Court’s Order and filed their Answer to the First Amended  
20 Complaint later that day on October 19, 2020. (See Doc. 66.)

21 Plaintiffs have requested that defendants amend their affirmative defenses to state  
22 supporting facts justifying each affirmative defenses and to identify which specific defendants is  
23 claiming each affirmative defense. Plaintiff’s counsel and Defendant’s counsel have been  
24 meeting and conferring concerning the Answer and the admissions, denials and affirmative  
25 defenses pled at Doc. 66 contained therein. It is agreed upon and stipulated to by the parties, that  
26 to avoid burdening the Court with a potential Motion to Strike by Plaintiffs the parties desire for  
27 Defendants to file an Amended Answer to the First Amended Complaint on or before November  
28 13, 2020.

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**IT IS SO STIPULATED.**

Dated: October 29, 2020

JOHN M. LUEBBERKE  
CITY ATTORNEY

BY /s/ Jamil R. Ghannam  
JAMIL GHANNAM  
DEPUTY CITY ATTORNEY  
Attorneys for Defendants  
CITY OF STOCKTON, STOCKTON  
POLICE DEPARTMENT, ERIC JONES,  
KEVIN JAYE HACHLER, ERIC B.  
HOWARD, MICHAEL GANDY, CONNER  
NELSON, and SGT. UNDERWOOD

Dated: October 29, 2020

LAW OFFICE OF YOLANDA HUANG


By: /s/ Yolanda Huang as authorized October 29,  
2020  
YOLANDA HUANG  
Attorneys for Plaintiffs  
FRANCISCO DUARTE and ALEJANDRO  
GUTIERREZ

**ORDER GRANTING LEAVE TO FILE AN AMENDED ANSWER**

Pursuant to the stipulation of the parties and good cause appearing, IT IS HEREBY  
ORDERED that Defendants are granted leave to file an Amended Answer to the First Amended  
Complaint, due on or before November 13, 2020.

IT IS SO ORDERED.

Dated: November 3, 2020

  
MORRISON C. ENGLAND, JR.  
SENIOR UNITED STATES DISTRICT JUDGE