

1 THOMAS J. SCHMITZ
DIANNE MALLIA
2 1753 Woodleaf Circle
Roseville, CA 95747
3 Telephone: (707) 694-8158
E-mail: tsfoot49@gmail.com
4 *Plaintiffs, ProSe*

5 XAVIER BECERRA, State Bar No. 118517
Attorney General of California
6 JAY M. GOLDMAN, State Bar No. 168141
Supervising Deputy Attorney General
7 JENNIFER J. NYGAARD, State Bar No. 229494
Deputy Attorney General

8 1515 Clay Street, 20th Floor
P.O. Box 70550
9 Oakland, CA 94612-0550
Telephone: (510) 879-0802
10 Fax: (510) 622-2270
E-mail: Jennifer.Nygaard@doj.ca.gov
11 *Attorneys for Defendants Adams, Ashe, Andaluz,*
Asman, Bradley, Branman, Brizendine,
12 *Brockenborough, Brunkhorst, CDCR, Ceballos,*
Diaz, Gipson, Heatley, J. Johnson, R. Johnson,
13 *Kernan, Leidner, Ponciano, Ramkumar, Rekart,*
Robinson, Rudas, C. Smith, M. Smith, Tebrock,
14 *Toche, and Wanie*

15 IN THE UNITED STATES DISTRICT COURT
16 FOR THE EASTERN DISTRICT OF CALIFORNIA
17 SACRAMENTO DIVISION

19 **THOMAS SCHMITZ, et al.,**

20 Plaintiffs,

21 v.

23 **A. ASMAN, et al.,**

24 Defendants.

2:20-cv-00195-JAM-CKD

**STIPULATION AND [PROPOSED]
ORDER EXTENDING DEFENDANTS'
TIME TO RESPOND TO PLAINTIFFS'
AMENDED FIRST SET OF REQUESTS
FOR PRODUCTION OF DOCUMENTS**

Judge: The Honorable Carolyn K.
Delaney

Trial Date: N/A

Action Filed: January 27, 2020

27 Plaintiffs Thomas J. Schmitz and Dianne Mallia (“Plaintiffs”), and Defendants Ashe,
28 Andaluz, Asman, Bradley, Branman, Brizendine, Brockenborough, Brunkhorst, CDCR, Ceballos,

1 Diaz, Gipson, Heatley, J. Johnson, R. Johnson, Kernan, Leidner, Ponciano, Ramkumar, Rekart,
2 Robinson, Rudas, C. Smith, M. Smith, Tebrock, Toche, and Wanie (“Defendants”) (collectively
3 “The Parties”) stipulate and agree that Defendants may have until January 8, 2021, to respond to
4 Plaintiffs’ Amended First Set of Requests for Production of Documents served on Defendants on
5 September 27, 2020.

6 The Parties agree that good cause exists for the extension because the Court issued an Order
7 and Findings and Recommendations partially granting Defendants’ motion to dismiss the Second
8 Amended Complaint on November 16, 2020. If the District Judge adopts the Findings and
9 Recommendations, many of Plaintiffs’ requests will be irrelevant, and some of the Defendants
10 whom the requests are addressed to will be dismissed from this action.

11 This is the second stipulation between the Parties for an extension of time for Defendants to
12 respond to Plaintiffs’ Amended First Set of Requests for Production of Documents. The parties
13 previously stipulated to a twenty-eight day extension of time for Defendants to respond to
14 Plaintiffs’ Amended First Set of Requests for Production of Documents pending the Court’s
15 ruling on Defendants’ motion to dismiss. (ECF No. 81). This stipulation extends Defendants’
16 current deadline to respond by forty-five days.

17 IT IS SO STIPULATED.

18 Dated: November 17, 2020

/S/ Thomas J. Schmitz
Thomas J. Schmitz, Plaintiff

19
20 Dated: November 17, 2020

/S/ Dianne Mallia
Dianne Mallia, Plaintiff

21
22 Dated: November 18, 2020

/S/ Jennifer J. Nygaard
Jennifer J. Nygaard
Deputy Attorney General
*Attorney for Defendants Adams, Ashe, Andaluz,
Asman, Bradley, Branman, Brizendine,
Brockenborough, Brunkhorst, CDCR, Ceballos,
Diaz, Gipson, Heatley, J. Johnson, R. Johnson,
Kernan, Leidner, Ponciano, Ramkumar, Rekart,
Robinson, Rudas, C. Smith, M. Smith, Tebrock,
Toche, and Wanie*

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

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 19, 2020



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

SF2020200637
91316648.docx