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 REDWOODS COMMUNITY COLLEGE DISTRICT,
 13 YOKOTOBIFUSAKO, CONSTANCE CARLSON,
 AMY DAILY and JOE HASH



14
 15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA

17 TODD ZEIGLER

18 Plaintiff,

19 v.

20 REDWOODS COMMUNITY COLLEGE
 DISTRICT, ABE ALI, BILL STUDDT,
 21 YOKOTOBIFUSAKO, CONSTANCE
 CARLSON, AMY DAILY, JOE HASH,
 22 Does 1 through 10,

23 Defendants.

Case No. CV 11-04849 NJV

**STIPULATION AND [~~PROPOSED~~] ORDER TO
 EXTEND TIME TO FILE RESPONSIVE
 PLEADING BY INDIVIDUALLY NAMED
 DEFENDANTS**

1 The parties in the above-captioned case, by and through their counsel of record, hereby represent
2 to the Court as follows:

3 1. On August 31, 2011, Plaintiff filed his initial Complaint in this action against Defendants
4 REDWOODS COMMUNITY COLLEGE DISTRICT, ABE ALI, BILL STUDT, YOKOTOBI
5 FUSAKO, CONSTANCE CARLSON, AMY DAILY, JOE HASH in Humboldt County Superior Court.

6 2. On September 1, 2011, Plaintiff served the Complaint on the REDWOODS
7 COMMUNITY COLLEGE DISTRICT.

8 3. On or about September 30, 2011 defendant REDWOODS COMMUNITY COLLEGE
9 DISTRICT removed the matter to the United States District Court, Northern District.

10 4. On October 7, 2011, defendant REDWOODS COMMUNITY COLLEGE DISTRICT
11 filed a Motion to Dismiss the Complaint as to the causes of action brought against it.

12 5. The Motion to Dismiss has been fully briefed by the parties and is set for hearing on
13 December 19, 2011.

14 6. Subsequent to the filing of that motion, counsel for the REDWOODS COMMUNITY
15 COLLEGE DISTRICT agreed to accept service of the complaint on behalf of CONSTANCE CARLSON
16 and JOE HASH, the only two individually named defendants still employed by the DISTRICT.

17 7. Pursuant to that acceptance of service, the responsive pleading of CONSTANCE
18 CARLSON and JOE HASH is due December 7, 2011.

19 8. On or about November 15, 2011, defendant AMY DAILY was served with the Complaint.
20 DAILY's responsive pleading is due December 6, 2011.

21 9. On or about November 18, 2011 defendant FUSAKO YOKOTOBI was served with the
22 Complaint. YOKOTOBI's responsive pleading is due December 9, 2011.

23 10. Counsel for plaintiff expects to serve the remaining individual defendants in the near
24 future.

25 11. The individual defendants served to date will be represented by counsel for the
26 DISTRICT. Four of the five causes of action contained in the complaint are common to both the
27 DISTRICT and individual defendants. These individual defendants intend to move to dismiss the
28 complaint on similar grounds as those set forth by the DISTRICT in its pending Motion to Dismiss set

1 for hearing on December 19, 2011, and potentially on additional grounds with respect to the cause of
2 action brought solely against them.

3 12. In the interests of judicial economy, and to avoid piecemeal litigation, multiple repetitive
4 Motions to Dismiss, and the potential filing of Motions to Dismiss on behalf of individual defendants
5 that will be rendered moot or unnecessary by this Court's ruling on the DISTRICT's pending Motion to
6 Dismiss, the parties have, subject to this Court's approval, stipulated to extend the responsive pleading
7 deadline on behalf of any properly served individual defendants represented by counsel for the
8 DISTRICT until twenty-one days after this Court issues its ruling on the DISTRICT's pending Motion to
9 Dismiss.

10 13. The parties further stipulate that, if plaintiff is given leave to amend his Complaint
11 following this Court's ruling on the DISTRICT's Motion to Dismiss, that any properly served individual
12 defendants shall not respond to the original Complaint, but instead shall respond to any First Amended
13 Complaint at the same time as the DISTRICT, and as Ordered by the Court or as otherwise required by
14 the Federal Rules of Civil Procedure.

15 Dated: December 2, 2011

PETER E. MARTIN, A LAW CORPORATION

17 By: /s/ Peter E. Martin
18 Peter E. Martin
19 Attorneys for Plaintiff
TODD ZEIGLER

20 Dated: December 2, 2011

BERTRAND, FOX & ELLIOT

22 By: /s/ Michael C. Wenzel
23 Michael C. Wenzel
24 Attorneys for Defendant
REDWOODS COMMUNITY COLLEGE
DISTRICT, YOKOTOBIFUSAKO, CONSTANCE
25 CARLSON, AMY DAILY and JOE HASH

ORDER

Upon the foregoing Stipulation, and for good cause shown, IT IS ORDERED that the time for Defendants CONSTANCE CARLSON, JOE HASH, AMY DAILY and FUSAKO YOKOTOBI to respond to the Complaint shall be twenty-one days from the date of this Court's ruling on the DISTRICT's Motion to Dismiss, or as otherwise set forth by the Court in its Order upon the DISTRICT's Motion to Dismiss.

DATED: December 5th, 2011


UNITED STATES DISTRICT JUDGE