

1 CREGGER & CHALFANT LLP
 ROBERT L. CHALFANT, SBN 203051
 2 Email: rlc@creggerlaw.com
 WENDY MOTOOKA, SBN 233589
 3 Email: wm@creggerlaw.com
 701 University Avenue, Suite 110
 4 Sacramento, CA 95825
 Phone: 916.443-4443
 5 Fax: 916.443-2124

6 Attorneys for Defendant NATE MENDES

7
 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**

11 JASON CALL,
 12
 13 Plaintiff,

13 vs.

14 CALIFORNIA DEPARTMENT OF
 JUSTICE/BUREAU OF NARCOTIC
 15 ENFORCEMENT; COUNTY OF
 HUMBOLDT; HUMBOLDT COUNTY
 16 SHERIFF'S OFFICE; SPECIAL AGENT
 JACK NELSEN; SPECIAL AGENT
 17 MATT BADGLEY; SPECIAL AGENT
 MONTI CERVELLI; SPECIAL AGENT
 18 BRETT LETENDRE; SPECIAL AGENT
 RYAN MAKI; AGENT HEATH
 19 HELMAN; AGENT CORY PERSING;
 AGENT NATE MENDES; AGENT
 20 ADAM HARKNESS; AGENT MARVIN
 KIRKPATRICK; AGENT KEVIN
 21 STONEBARGER; SHERIFF MICHAEL
 DOWNEY; DEPUTY SHERIFF WAYNE
 22 HANSON; DEPUTY SHERIFF GREG
 MUSSON; DEPUTY SHERIFF BRIAN
 23 QUENELL; DEPUTY SHERIFF BLAKE
 MASSARO,

24 Defendants.

Case No.: 3:15-cv-03353 HSG

**STIPULATION FOR EXTENSION OF
 TIME TO ALLOW DEFENDANT NATE
 MENDES TO RESPOND TO SECOND
 AMENDED COMPLAINT; ORDER
 THEREON**

26
 27 WHEREAS on June 1, 2015, Plaintiff initiated the present civil action in the Superior
 28 Court of California, County of Humboldt;

1 WHEREAS Defendant Nate Mendes was not named as a defendant in that civil action;

2 WHEREAS on July 21, 2015, the named defendants removed the state court action to
3 federal court;

4 WHEREAS on November 30, 2015, an amended complaint was filed naming
5 approximately 19 defendants, including “Agent Nate Mendes”;

6 WHEREAS on November 10, 2016, a Second Amended Complaint was filed;

7 WHEREAS on January 17, 2017, Robert Chalfant, outside counsel for Siskiyou County,
8 received a voicemail message from Counsel for Plaintiff, Linda Mitlyng, asking whether Mr.
9 Chalfant would be representing Nate Mendes;

10 WHEREAS on January 19, 2017, Ms. Mitlyng emailed a proof of service to Mr. Chalfant
11 showing that on June 7, 2016, substituted service of the Amended Complaint and Summons was
12 attempted on Mr. Mendes, at a Bureau of Land Management Field Office.

13 WHEREAS the parties wish to avoid motion practice relating to service issues;

14 It is hereby stipulated by the parties to this action through their attorneys of record as
15 follows:

16 Defendant NATE MENDES may have a two week extension of time within which to
17 respond to the Second Amended Complaint on file in any manner authorized by the Federal Rules
18 of Civil Procedure. Said response will now be due on or before February 20, 2017.

19 IT IS SO STIPULATED.

20 DATE: February 7, 2017

CREGGER & CHALFANT LLP

21 /s/ Robert L. Chalfant
22 ROBERT L. CHALFANT
23 WENDY MOTOOKA
Attorneys for Defendant NATE MENDES

24 DATE: February 6, 2017

LAW OFFICE OF LINDA SUE MITLYNG

25
26 /s/ Linda Sue Mitlyng
27 LINDA SUE MITLYNG, SBN 113810
Attorneys for Plaintiff JASON CALL

28

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

DATE: February 6, 2017

STATE OF CALIFORNIA
OFFICE OF THE ATTORNEY GENERAL

/s/ Wilfred T. Fong
WILFRED T. FONG, SBN 154303
Attorneys for Defendants MATT BADGLEY, JACK
NELSON, MONTI CERVELLI, BRETT
LETENDRE, RYAN MAKI, HEATH HELMAN

DATE: February 6, 2017

MITCHELL BRISSO DELANEY & VRIEZE

/s/ Nancy K. Delaney
NANCY K. DELANEY, SBN 70617
Attorneys for Defendants COUNTY OF
HUMBOLDT, SHERIFF MICHAEL DOWNEY,
DEPUTY SHERIFF WAYNE HANSON, DEPUTY
SHERIFF GREG MUSSON, DEPUTY SHERIFF
BRIAN QUENELL, AGENT MARVIN
KIRKPATRICK; STANLEY HARKNESS

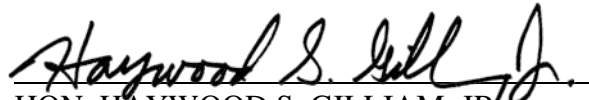
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

It is hereby ordered that Defendant NATE MENDES may have an extension of time to and including February 20, 2017, to file a response to the Second Amended Complaint on file herein in any manner authorized by the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

DATED: February 7, 2017


HON. HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT COURT JUDGE