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8
9 **UNITED STATES DISTRICT COURT**
10
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 YURIY ANAKIN,
13
14 Plaintiff,
15
16 vs.

17 *CONTRA COSTA REGIONAL MEDICAL
18 CENTER,
19 *JOHN DOES NUMBERS 1 THROUGH 10,
20 *CENTRAL MEDICAL LABORATORY (A
21 CALIFORNIA CORPORATION),
22 *PHLEBOTOMIST JONATHAN YOUNG,
23 *C.H.P OFFICERS LUCAS EATCHEL
24 (#19535) AND J. JACKSON (#19151), IN
25 THEIR INDIVIDUAL CAPACITIES, AND
26 *CONTRA COSTA COUNTY SHERIFF'S
27 DEPUTY W. ARMSTRONG (#73440), IN
28 HIS INDIVIDUAL CAPACITY,
29
30 Defendants.

Case No. C16-00161 MEJ

**STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND TIME TO
RESPOND TO MOTION TO DISMISS**

[CIVIL L.R. 6-1(b), 6-2(a), 7-12]

CRTRM: B, 15TH Floor
Judge: Hon. Maria-Elena James, Presiding
Date Action Filed: January 11, 2016
Trial Date: None Assigned

31 Pursuant to Civil Local Rules 6-1(b), 6-2(a), and 7-12, Plaintiff YUIRY ANAKIN, by and
32 through his attorney of record, Mark W. Kelsey, and Defendants CONTRA COSTA COUNTY
33 and DEPUTY W. ARMSTRONG (“Defendants”), by and through their attorney of record, Deputy

1 County Counsel Nima E. Sohi of the Contra Costa County Counsel's Office, hereby stipulate to an
2 extension of time for Plaintiff YUIRY ANAKIN to file a response to Defendants' Motion to
3 Dismiss, filed on February 19, 2016 (ECF Doc. No. 11).

4 **RECITALS**

- 5 1. On January 11, 2016, Plaintiff filed a complaint alleging violations of his civil
6 rights pursuant to 42 U.S.C. §§ 1983. *See* ECF Doc. No. 1.
- 7 2. On February 2, 2016, a stipulation to extend time for Defendants to respond to the
8 complaint was filed by Plaintiff at Defendants' request. *See* ECF Doc. No. 9.
- 9 3. On February 19, 2016, Defendants Contra Costa County (sued as Contra Costa
10 Regional Medical Center) and Deputy W. Armstrong filed a Motion to Dismiss All
11 Claims pursuant to FRCP 12(b)(6), and a Motion to Strike pursuant to FRCP 12(f).
12 *See* ECF Doc. No. 11.
- 13 4. Pursuant to this Court's local rules, the deadline for Plaintiff to respond to the
14 Motion to Dismiss is March 4, 2016.
- 15 5. Defendants noticed the date for Hearing on the Motion to Dismiss for March 31,
16 2016; the undersigned parties agree that this date should not be affected by the
17 instant stipulation.
- 18 6. This Court's Initial Case Management Scheduling Order set the date for the initial
19 case management conference on April 21, 2016; the undersigned parties agree that
20 this date should not be affected by the instant stipulation. *See* ECF Doc. No. 4.

21 **STIPULATION**

22 The undersigned parties hereby agree and stipulate that the time for Plaintiff to respond to
23 Defendants' Motion to Dismiss (ECF Doc. No. 11) should be extended by one week to March 11,
24 2016, and that Defendants' time to file a Reply to Plaintiff's Response should accordingly be
25 extended by one week, to March 18, 2016. Hearing on the Motion shall proceed as scheduled on
26 ~~March 31, 2016.~~
April 7, 2016 at 10:00 a.m.

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IT IS SO STIPULATED.

DATED: March 2, 2016

LAW OFFICES OF MARK W. KELSEY

By: /s/ Mark W. Kelsey
MARK W. KELSEY
Attorney for Plaintiff

DATED: March 2, 2016

SHARON L. ANDERSON
COUNTY COUNSEL


By: /s/ Nima E. Sohi
NIMA E. SOHI
Deputy County Counsel
Attorneys for Defendants
CONTRA COSTA COUNTY and DEPUTY W.
ARMSTRONG

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The hearing on the Motion is extended to April 7, 2016 at 10:00 a.m.

DATED: March 3, 2016



Hon. Maria-Elena James
United States Magistrate Judge