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8 and JOHN P. WILLIAMS

9

10   UNITED STATES DISTRICT COURT

11   NORTHERN DISTRICT OF CALIFORNIA

12 PAMELA SAUCER BILBO,   Case No. 3:17-cv-00932-JST

13   Plaintiff,   **STIPULATED REQUEST TO EXTEND
                                            DEFENDANT WILLIAMS TIME TO RESPOND
14 v.   TO FIRST AMENDED COMPLAINT AND TO
                                            CONTINUE THE CASE MANAGEMENT
15 COUNTY OF ALAMEDA, CALIFORNIA,   CONFERENCE AND [PROPOSED] ORDER**
    CITY OF OAKLAND, CALIFORNIA,
16 INSPECTOR JOHN P. WILLIAMS, and DOES
17 1-25,

18   Defendants.

19

20

21   **Hon. Jon S. Tigar**

22

23   Plaintiff PAMELA SAUCER BILBO and Defendants COUNTY OF ALAMEDA (the

24 "COUNTY") and JOHN P. WILLIAMS ("WILLIAMS"), by and through their counsel of record, hereby

25 represent to the Court as follows:

26   WHEREAS, on February 23, 2017, Plaintiff filed her initial Complaint in the above captioned

27 matter.

28   WHEREAS, on April 5, 2017, the COUNTY filed a Motion to Dismiss Plaintiff's Complaint.

                                              1
STIPULATED REQUEST TO EXTEND WILLIAMS' TIME TO RESPOND TO FIRST AMENDED COMPLAINT AND TO
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1   WHEREAS, on April 17, 2017, Plaintiff filed a First Amended Complaint.

2   WHEREAS, on May 1, 2017, the COUNTY filed a Motion to Dismiss Plaintiff's First Amended

3   Complaint, contending that Plaintiff failed to state a claim against the COUNTY. The COUNTY's

4   motion is under submission and no hearing date is set for the motion

5   WHEREAS, on July 7, 2017, Plaintiff served her First Amended Complaint in the above

6   captioned action on Defendant WILLIAMS, requiring a response date of July 28, 2017.

7   WHEREAS, given that many of the legal arguments raised by the COUNTY in its motion to

8   dismiss overlap with legal arguments that would be asserted by WILLIAMS in his responsive pleading,

9   and because the COUNTY's motion is pending, the parties respectfully request that WILLIAMS be

10 granted an extension to file his responsive pleading, such that his initial responsive pleading in this

11 matter will be due the later of two weeks from the date of issuance of the Court's order on the

12 COUNTY's pending Motion to Dismiss or, if leave to amend is granted, two weeks from the date of the

13 filing of a second amended complaint. The parties believe deferring WILLIAMS' responsive pleading

14 until such time as an Order is received by this Court on the COUNTY's pending motion to dismiss and,

15 if applicable, a second amended complaint is filed, will avoid duplication and a waste of judicial time and

16 resources.

17   WHEREAS, deferring the date for WILLIAMS' responsive pleading will not alter the date of any

18 event or deadline already filed by the Court.

19   WHEREAS, on July 7, 2017, the case management conference (scheduled for July 12, 2017) was

20 continued to September 13, 2017.

21   WHEREAS, Michael Wenzel, lead trial counsel for the COUNTY and WILLIAMS, has a pre-

22 existing scheduling conflict on that date that requires him to be out of the Bay Area for a professional

23 obligation;

24   WHEREAS Plaintiff's counsel has no objection to continuing the conference to another date that

25 is convenient for the Court.

26   WHEREAS the parties respectfully request that the Court continue the currently scheduled case

27 management conference from September 13, 2017 to September 20, 2017 or the next available date that

28

STIPULATED REQUEST TO EXTEND WILLIAMS' TIME TO RESPOND TO FIRST AMENDED COMPLAINT AND TO
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is convenient for the Court.

For the good cause reasons stated above, the parties hereby stipulate and agree that WILLIAMS' responsive pleading in this matter will be due the later of two weeks from the date of issuance of the Court's order on the COUNTY's pending Motion to Dismiss or, if leave to amend is granted, two weeks from the date of the filing of a second amended complaint.

It is so stipulated and agreed.

Dated: July 27, 2017   BERTRAND, FOX, ELLIOT, OSMAN & WENZEL

By: ___*/s/Michael Wenzel*_____
　　　Michael C. Wenzel
　　　Jashoda K. Kashyap
　　　Attorneys for Defendants
　　　COUNTY OF ALAMEDA and JOHN P. WILLIAMS

Dated: July 27, 2017   LAW OFFICE RICHARD SAX

By: ___*/s/Richard Sax*_____
　　　Richard Sax
　　　Attorneys for Plaintiff
　　　PAMELA SAUCER BILBO

ATTORNEY ATTESTATION

I hereby attest that I have on file all holograph signatures for any signatures indicated by a conformed signature ("/s/") within this E-filed document or have been authorized by plaintiff's counsel to show their signature on this document as /s/.

Dated: July 27, 2017

By: ___*/s/Jashoda Kashyap*_____
　　　Jashoda K. Kashyap

[Proposed] ORDER

3

1   GOOD CAUSE APPEARING THEREFORE, and the parties' having stipulated to the same, the

2 parties' stipulation is hereby APPROVED. The Court orders that WILLIAMS shall file a responsive

3 pleading by the later of two weeks from the date of issuance of the Court's order on the COUNTY's

4 pending Motion to Dismiss or, if leave to amend is granted, two weeks from the date of the filing of a

5 second amended complaint.

6   IT IS FURTHER ORDERED that the Initial Case Management Conference is continued to

7 September 20_____, 2017.

8   **IT IS SO ORDERED.**

9

10 Dated: _July 31, 2017_   _____

                                                            JON S. TIGAR
11   United States District Court Judge

STIPULATED REQUEST TO EXTEND WILLIAMS' TIME TO RESPOND TO FIRST AMENDED COMPLAINT AND TO
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