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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 Jose Daniel Castillo-Antonio, Plaintiff, ) Case Number 18-3267 SK  
11 vs, )  
12 Reyad Jeries Salameh, et al., Defendants. ) STIPULATION AND ORDER TO EXTEND  
13 TIME UNDER F.R.C.P. 12(f)

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14 TO THE CLERK OF THE ABOVE-ENTITLED COURT AND TO ALL PARTIES AND THEIR  
15 RESPECTIVE ATTORNEYS OF RECORD:

16 WHEREAS, this case has been assigned for early disclosures and mediation under General  
17 Order 56 of the Northern District, and the parties to this stipulation want to make best efforts to  
18 settle this case without litigation; and

19 WHEREAS, defendant Reyad Jeries Salameh filed his answer on August 8, 2018 (Docket  
20 #8), and plaintiff filed a motion to strike on August 29, 2018 (Docket #9, presently set for hearing  
21 on October 15, 2018 at 9:30 am); and

22 WHEREAS, defendant Reyad Jeries Salameh filed an amended answer on September 7,  
23 2018 (Docket #10); and

24 WHEREAS, plaintiff believes that the amended answer suffers from some of the same  
25 defects as the original answer, to wit, (1) that some of the purported affirmative defenses do not  
26 constitute affirmative defenses, and (2) that none of the purported affirmative defenses contain any  
27 underlying detail or facts, but consist only of a bare statement of legal doctrines; and

28 WHEREAS, plaintiff's deadline for filing a motion under FRCP 12(f) to strike insufficient  
defenses from the amended answer is September 28, 2018 (i. e. 21 days after September 7, 2018);  
and

1 WHEREAS, plaintiff and defendant are moving the case forward in accordance with  
2 General Order No. 56 (the site inspection was held on September 12, 2018), and they are in active  
3 discussions, trying to resolve their disagreements about defendant's amended answer informally  
4 and to settle the case, and they wish to avoid the necessity of Plaintiff filing a Rule 12(f) motion  
5 before September 28, 2018;

6 THEREFORE:

7 IT IS HEREBY STIPULATED by and among plaintiff and defendant Reyad Jeries Salameh  
8 that the deadline for plaintiff to file any motion with respect to the amended answer (Docket #10)  
9 under Federal Rule of Civil Procedure 12(f) be extended to October 15, 2018.

10 Law Offices of Richard A. Mac Bride

11 Richard Mac Bride /s/ Richard A. Mac Bride

Date: September 14, 2018

12 Attorney for Plaintiff

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14 Law Offices of Roni Rotholz

15 Roni Rotholz /s/ Roni Rotholz

Date: September 14, 2018

16 Attorney for defendant Reyad Jeries Salameh

17  
18 FILER'S ATTESTATION

19  
20 Pursuant to General Order 45, Section X(B), I hereby attest that on September 14, 2018, I, Richard  
21 A. Mac Bride, the attorney of record for plaintiff herein, received the concurrence of attorney  
22 Rotholz, attorney for defendant Reyad Jeries Salameh, in the filing of this document.

23  
24 /s/ Richard A. Mac Bride

25 Richard A. Mac Bride

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ORDER

In the case of Jose Daniel Castillo-Antonio v. Reyad Jeries Salameh et al., 18-3267-SK, pursuant to the stipulation of plaintiff and defendant Reyad Jeries Salameh, and for good cause shown, it is hereby ORDERED, that the deadline for plaintiff to file any motion under Federal Rule of Civil Procedure 12(f) with respect to the amended answer of defendant Reyad Jeries Salameh (Docket #10) is hereby reset to October 15, 2018.

**IT IS SO ORDERED.**

Date: September 18, 2018

  
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Sallie Kim  
United States Magistrate Judge