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RIVERA & ASSOCIATES

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Attorneys for Defendants,
Michael Sayre, Laurie Thomas, Adams, Jacquez F.

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA**

OMAR REYNOSO,)	CASE NO. 4:11-cv-4525-CW (PR)
)	
Plaintiff,)	DEFENDANTS' REQUEST FOR AN
)	ENLARGEMENT OF TIME TO FILE
vs.)	DISPOSITIVE MOTIONS
)	
)	
CHIEF MEDICAL OFFICER MICHAEL)	
SAYRE, et al.)	
)	
Defendants.)	
_____)	

RESPONDENTS SAYRE, THOMAS, ADAMS, and JACQUEZ F., hereby respectfully request the Court grant them an enlargement of time of 90 days to file dispositive motions.

Due to numerous conflicts by the Attorney General's office our office has been assigned conflicts and overflow cases. Due to the Plaintiff having been moved from one prison facility to another there are numerous witnesses to interview and voluminous medical records to examine. Thus, we are requesting additional time for the discovery process.

We are hereby requesting a short continuance of the dispositive motion deadline of 90 days up to December 7, 2012, to file dispositive motions. We do not believe plaintiff will be prejudiced by this short delay, nor will this require a resetting of any trial or pretrial hearing.

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August 13, 2012

Respectfully submitted,
RIVERA & ASSOCIATES

/s/ Jesse M. Rivera
JESSE M. RIVERA
Attorney for Respondents
Michael Sayre, Laurie Thomas, Adams and
Jacquez F.

1 **DECLARATION OF JESSE M. RIVERA**

2 I, JESSE M. RIVERA, hereby declare:

- 3 1. That I am licensed to practice in all of the courts of the State of California and am
4 also authorized to practice in the Federal District Court, Eastern District, State of
5 California, as well as the Northern and Central District, State of California. I am
6 also authorized to practice in the Ninth and the Eleventh Circuit District Court, and
7 the United States Supreme Court;;
- 8 2. That I am a principal with the law firm of RIVERA & ASSOCIATES;
- 9 3. Due to numerous conflicts by the Attorney General’s office our office has been
10 assigned conflicts and overflow cases;
- 11 4. Due to numerous conflicts by the Attorney General’s office our office has been
12 assigned conflicts and overflow cases. Due to the Plaintiff having been moved from
13 one prison facility to another there are numerous witnesses to interview and
14 voluminous medical records to examine. Thus, we are requesting additional time for
15 the discovery process;
- 16 5. That I have taken the deposition of the Plaintiff, Omar Reynoso on August 9, 2012;
- 17 6. That I have personal knowledge of the facts stated in this declaration and, if
18 called as a witness, could and would testify to those facts;
- 19 7. We are hereby requesting a short continuance of the dispositive motion deadline of
20 90 days up to December 7, 2012, to file dispositive motions;
- 21 8. We do not believe plaintiff will be prejudiced by this short delay, nor will this
22 require a resetting of any trial or pretrial hearing.

23 I declare under penalty of perjury under the laws of the State of California that the foregoing
24 is true and correct.

25
26 Dated: August 13, 2012

27 /s/ Jesse M. Rivera
28 JESSE M. RIVERA

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**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA**

)	CASE NO. 4:11-cv-4525-CW (PR)
)	
OMAR REYNOSO,)	ORDER ON DEFENDANTS' REQUEST
)	FOR AN ENLARGEMENT OF TIME TO
Plaintiff,)	FILE DISPOSITIVE MOTIONS
)	
vs.)	
)	
CHIEF MEDICAL OFFICER MICHAEL)	
SAYRE, et al.)	
)	
Defendants.)	

Good cause here appearing, Defendants' request for an extension of time to file dispositive motions is granted.

IT IS HEREBY ORDERED that defendants have until December 7, 2012, to file dispositive motions. Plaintiff's opposition will be due no later than 28 days after the dispositive motion is filed, and Defendants shall file a reply no later than 14 days after the opposition is filed.

The Honorable Claudia Wilken
United States District Judge

1 **Omar Reynoso v. Chief Medical Officer Michael Sayre, et al**
2 U.S. District Court, Northern District, Oakland
3 Case Number: 4:11-cv-04525-CW (PR)

4 **PROOF OF SERVICE**

5 I am a citizen of the United States, employed in the City and County of Sacramento. My
6 business address is 2180 Harvard Street, Suite 310, Sacramento, California, 95815. I am over the
7 age of 18 years and not a party to the above-entitled action.

8 I am familiar with RIVERA & ASSOCIATES' practice whereby the mail is sealed, given
9 the appropriate postage and placed in a designated mail collection area. Each day's mail is collected
10 and deposited in a U.S. mailbox after the close of each day's business.

11 On the following date, I served the attached:

12 **DEFENDANTS' REQUEST FOR AN ENLARGEMENT OF TIME TO FILE**
13 **DISPOSITIVE MOTIONS**

14 X on all parties who have appeared via electronic mail through CM/ECF.

15 _____ on the parties in this action, who do not appear via electronic mail, by causing a true
16 copy thereof to be placed in a sealed envelope with postage thereon fully prepaid in the
17 designated area for outgoing mail.

18 _____ on all other the parties in this action by causing a true copy thereof to be telecopied by
19 facsimile to the attorneys of record in the above action.

20 _____ (By Express Mail pursuant to Code of Civil Procedure section 1013.) I deposited each
21 sealed envelope, with the postage prepaid, to be delivered via Federal Express to the
22 party(ies) so designated on the service list.

23 PRO SE
24 Omar Reynoso
25 H-93482
26 C4-109
27 Pelican Bay State Prison
28 P.O. Box 7500
Crescent City, CA 95532

I declare under penalty of perjury that the foregoing is true and correct and that this Declaration
is executed August 13, 2012, at Sacramento, California.

/s/ Rhonda Harrigan
Rhonda Harrigan