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 District  
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8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN JOSE DIVISION

11	GREGORY NICHOLAS STESHENKO,	)	CASE NO: C 09 05543 RS
12	Plaintiff,	)	
13	v.	)	<b>STIPULATION RE: SERVICE OF</b>
14	THOMAS MCKAY, DOROTHY NUNN and	)	<b>PROCESS UPON AND APPEARANCE</b>
15	ANNE LUCERO, of the Cabrillo Community	)	<b>BY DEFENDANT THOMAS MCKAY;</b>
16	College District; CABRILLO COMMUNITY	)	<b>ORDER THEREON</b>
17	COLLEGE DISTRICT; KRISTINE SCOPAZZI,	)	
18	BERTHALUPE CARRILLO, and JANE DOE,	)	
19	of Watsonville Community Hospital;	)	
	WATSONVILLE COMMUNITY HOSPITAL,	)	
	Defendants.	)	

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20 The parties to this litigation do now stipulate and agree as follows:

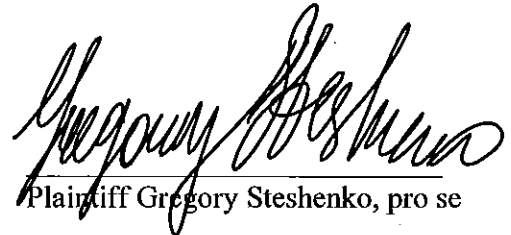
21 1. Plaintiff has not yet accomplished service of summons and complaint upon Defendant  
 22 Thomas McKay, but has accomplished service of process upon Cabrillo Community College District  
 23 and its employees Dorothy Nunn and Anne Lucero, who have responded to the Plaintiff's complaint  
 24 by filing a motion to dismiss.

25 2. In order to save Plaintiff the time and expense of accomplishing service of summons and  
 26 complaint upon Defendant McKay, and to save Defense counsel the time and expense of filing a  
 27 separate responsive pleading on behalf of Defendant McKay once he has been served, the parties  
 28 agree that effective the date of their execution of this Stipulation, Defendant McKay will have been

1 served with summons and complaint, and that for the purpose of deciding Defendants District's  
2 Nunn's and Lucero's motion to dismiss, the Court shall construe that motion as if it included, as a  
3 moving party, Defendant McKay; and to that extent Defendant McKay is relieved of any further  
4 obligation to file an initial responsive pleading.

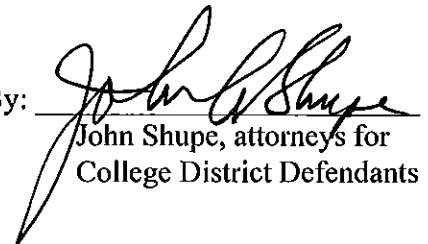
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6 IT IS SO STIPULATED.

7  
8 Dated: 2/22, 2010

  
Plaintiff Gregory Steshenko, pro se

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10  
11 Dated: 2/24, 2010

Lynch and Shupe, LLP

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14 By:   
John Shupe, attorneys for  
College District Defendants

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19 **ORDER**

20 The Court, having reviewed the stipulation of the parties, and finding good cause, does  
21 hereby adopt the stipulation as the Order of the Court with respect to service of process upon, and  
22 appearance by, Defendant McKay.

23  
24 Dated: February 24, 2010

  
Judge, United States District Court

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