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10 Attorneys for Defendant  
 11 CALIFORNIA FORENSIC MEDICAL GROUP, INC.

12 **UNITED STATES DISTRICT COURT**  
 13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14 ANTONIO MARTINEZ III; JENNY  
 15 MARTINEZ,

16 Plaintiffs

17 v.

18 COUNTY OF MONTEREY; MONTEREY  
 19 COUNTY SHERIFF'S OFFICE;  
 20 CALIFORNIA FORENSIC MEDICAL  
 21 GROUP, INCORPORATED, A  
 22 CALIFORNIA CORPORTATION, and  
 23 DOES 1 to 30 inclusive,

24 Defendants.

Case No. **5:18-CV-00475-BLF**

25 **JOINT STIPULATION AND**  
 26 **~~PROPOSED~~ ORDER**  
 27 **PERMITTING DEFENDANT**  
 28 **CALIFORNIA FORENSIC**  
**MEDICAL GROUP, INC. TO FILE**  
**AN AMENDED ANSWER TO**  
**PLAINTIFFS' FIRST AMENDED**  
**COMPLAINT**

Action Filed: January 22, 2018  
 Judge: Hon. Beth Labson Freeman  
 Trial: April 4, 2022

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**5:18-CV-00475-BLF**

**JOINT STIPULATION AND ~~PROPOSED~~ ORDER PERMITTING DEFENDANT**  
**CALIFORNIA FORENSIC MEDICAL GROUP, INC. TO FILE AN AMENDED**  
**ANSWER TO PLAINTIFFS' FIRST AMENDED COMPLAINT**

1 Plaintiffs ANTONIO MARTINEZ III and JENNY MARTINEZ and defendants  
2 COUNTY OF MONTEREY, MONTEREY COUNTY SHERIFF'S OFFICE and  
3 CALIFORNIA FORENSIC MEDICAL GROUP, INC., hereby joint stipulate and agree  
4 as follows:

5 Whereas plaintiffs' First Amended Complaint contains a pendant California State  
6 law cause of action for medical negligence against Defendant California Forensic  
7 Medical Group, Inc.; and

8 Whereas defendant California Forensic Medical Group, Inc. erroneously omitted  
9 three separate affirmative defenses to this state law claim for medical negligence; and

10 Whereas the parties met and conferred on the issue; and

11 Whereas a Motion to Dismiss remains pending by defendants County of Monterey  
12 and Monterey County Sheriff's Office;

13 It is hereby stipulated and agreed that Defendant California Forensic Medical  
14 Group, Inc. shall be permitted to file an Amended Answer to plaintiffs' First Amended  
15 Complaint within five (5) days of the entry of the Order on this Stipulation.

16 **IT IS SO STIPULATED.**

17  
18 DATED: August 29, 2018

BERTLING LAW GROUP, INC.

19 /s/ Peter G. Bertling

20 Peter G. Bertling

21 Jemma Parker Saunders

22 Attorneys for Defendant

23 CALIFORNIA FORENSIC

24 MEDICAL GROUP, INC.

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27 **5:18-CV-00475-BLF**

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**JOINT STIPULATION AND ~~PROPOSED~~ ORDER PERMITTING DEFENDANT  
CALIFORNIA FORENSIC MEDICAL GROUP, INC. TO FILE AN AMENDED  
ANSWER TO PLAINTIFFS' FIRST AMENDED COMPLAINT**

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DATED: August 29, 2018

HERSH & HERSH

/s/ Joseph Boyle  
Joseph Boyle  
Attorneys for Plaintiffs  
ANTONIO MARTINEZ III  
and JENNY MARTINEZ

DATED: August 29, 2018

MONTEREY COUNTY  
COUNSEL'S OFFICE

/s/ Susan Blich  
Susan K. Blich  
Attorneys for Defendants  
MONTEREY COUNTY and  
MONTEREY COUNTY  
SHERIFF'S OFFICE

5:18-CV-00475-BLF


1 **~~PROPOSED~~ ORDER**

2 Upon consideration of the Parties' Stipulation and finding good cause, it is hereby  
3 ORDERED as follows:

4 Defendant California Forensic Medical Group, Inc. shall be permitted to file an  
5 Amended Answer to plaintiffs' First Amended Complaint. Said Amended Answer shall  
6 be filed by Defendant within five (5) days of the entry of this Order.

7 **IT IS SO ORDERED.**

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9 DATED: August 30, 2018A, 2018

  
Honorable Beth Labson Freeman  
United States District Court Judge

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27 **5:18-CV-00475-BLF**

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**JOINT STIPULATION AND ~~PROPOSED~~ ORDER PERMITTING DEFENDANT CALIFORNIA FORENSIC MEDICAL GROUP, INC. TO FILE AN AMENDED ANSWER TO PLAINTIFFS' FIRST AMENDED COMPLAINT**