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Attorneys For Plaintiff, Jaime Beltran

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

JAIME BELTRAN,

Plaintiff,

v.

BAKER, et al,

Defendants.

Case No. 2:17-cv-01520 TLN AC

**STIPULATION [AND PROPOSED
ORDER] FOR EXTENSION OF TIME
TO RESPOND TO DEFENSE
MOTIONS FOR SUMMARY
JUDGMENT AND CORRESPONDING
CHANGES TO BRIEFING SCHEDULE**

Judge: Hon. Magistrate Allison Claire
Trial Date: None
Action filed: July 21, 2017

WHEREAS, on December 21, 2022, Defendant T. Guerra filed a Motion for Summary Judgment (ECF No. 100);

WHEREAS, Defendant Guerra initially set the hearing date on the calendar of Hon. Troy Nunley on January 26, 2023, at 2:00 p.m. PST (ECF No. 100);

WHEREAS, by Minute Order, Judge Troy L. Nunley's Courtroom Deputy M. Kreuger stated that Defendant Guerra's Motion for Summary Judgment should be scheduled before Magistrate Judge

Allison Claire and that the January 26, 2023 hearing date before Judge Nunley is vacated (ECF No. 101);

WHEREAS, Defendant GUERRA has obtained a new hearing date of February 8, 2023 at 10:00 a.m. for the motion before Magistrate Judge Allison Claire and has filed an amended notice of motion (ECF No. 104);

WHEREAS, Defendants BAKER, CROSS, SMITH, SWETT, and TRAN have filed their motion for summary judgment scheduling it for hearing on February 8, 2023 at 10:00 a.m. before Magistrate Judge Allison Claire (ECF No. 102).

WHEREAS, Plaintiff plans to file his Oppositions to Defendants' respective Motions for Summary Judgment, and must also file a Request to File Under Seal in order to provide sufficient evidence in support of his oppositions which will take additional time to prepare and receive the Court's decision on the Request;

WHEREAS, between the filing date of Defendant Guerra's Motion on December 21, 2023, and the due date for Plaintiff's Opposition 14 days later on January 4, 2023 (Local Rule 230(c)), there are two legal holidays – Christmas and New Year's Day, with Court closures on December 26, 2022 and January 2, 2023;

WHEREAS, there appears to be a conflict between the Court's February 1, 2022 Scheduling Order which states that the hearing on a dispositive motion must be not more than 28 days after the filing deadline of December 28, 2022 (ECF No. 68 at ¶8) and Local Rule 230(b) which provides that the hearing date on a motion for summary judgment must be not less than 35 days after the filing and service date;

WHEREAS, the parties have agreed to seek the Court's approval of the following extensions pursuant to Local Rule 144(a), in light of the hearing date of February 8, 2023 date;

IT IS HEREBY STIPULATED by and between counsel for Defendant Guerra and Defendants Baker, Cross, Smith, Swett and Tran and Plaintiff Beltran as follows:

1 1. The date on which Plaintiff's Opposition to Defendants' respective Motions for
2 Summary Judgment, and each of them, will be extended fourteen days to January 18, 2023; and

3 2. The date on which Defendant Guerra's and Defendants Baker, Cross, Smith, Swett, and
4 Tran's respective Replies in Support of their Motions for Summary Judgment will likewise be extended
5 by thirteen days to January 30, 2023.

6 IT IS SO STIPULATED.

7
8 Dated: December 22, 2022.

LAW OFFICE OF JARRETT ADAMS, PLLC

9 By: /s/ Lillian C. Gaither
10 Lillian C. Gaither
Jarrett Adams, *pro hac vice*
Attorneys for Plaintiff, Jamie Beltran

11
12 Date: December 22, 2022

ANDRADA & ASSOCIATES

13 */s/ Lynne G. Stocker (as authorized on 12/22/23)*

14
15 By: Lynne G. Stocker
Attorneys for Defendant Guerra

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17 Date: December 22, 2022

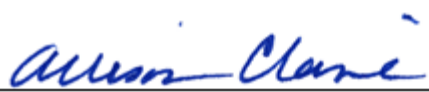
REILY & JEFFERY, INC.

18 */s/ Janine K. Jeffery (as authorized on 12/22/23)*

19
20 By: Janine K. Jeffery
Attorneys for Defendants,
21 *Baker, Cross, Smith, Swett and Tran*

22 IT IS SO ORDERED.

23
24 DATED: December 27, 2022


25 ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE