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7 *Attorneys for Plaintiff*  
8 *(Additional Counsel for Plaintiff listed on following page)*

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KEVIN REED,

Plaintiff,

vs.

CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION;  
ROBERT W. FOX, Warden of California Medical  
Facility; DANIEL E. CUEVA, California Medical  
Facility Chief Deputy Warden; CHERITA E.  
WOFFORD, California Medical Facility ADA  
Associate Warden; DANIEL Y. HURLEY,  
California Medical Facility Associate Warden;  
NOEL G. DIZON, California Medical Facility  
custodial officer; USHA P. PAI, California Medical  
Facility Physician and Surgeon; JOSEPH BICK,  
California Medical Facility Chief Medical  
Executive; JOAN GERBASI, California Medical  
Facility Chief Executive Officer; JOANNY L. TAN,  
California Medical Facility nurse; MADHU  
CHAWLA, California Medical Facility nurse;  
WILLIAM J. RUSSELL, California Medical  
Facility Building Trades Supervisor; HANK  
BLANK, California Medical Facility Correctional  
Plant Supervisor; DENNIS HOUSE, California  
Medical Facility Plant Operations Worker; and  
DOES 1-15;

Defendants.

CASE NO.: 2:19-cv-0275 AC P

**STIPULATION AND [PROPOSED]  
ORDER REGARDING BRIEFING  
SCHEDULE FOR MOTION TO  
DISMISS**

Date: March 29, 2023  
Time: 10:00 a.m.  
Ctrm: 26, 8<sup>th</sup> floor  
Before: Hon. Allison Claire

1 Oscar Daniel Lopez, SBN No. 297527  
2 [oscar.lopez@disabilityrightsca.org](mailto:oscar.lopez@disabilityrightsca.org)  
3 DISABILITY RIGHTS CALIFORNIA  
350 S. Bixel Street, Suite 290  
3 Los Angeles, CA 90017  
4 Tel.: (213) 213-8171

5 Mark Zambarda, SBN No. 314808  
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1401 Lawrence Street, Suite 1900  
Denver, CO 80202  
8 Tel.: (720) 535-2315

9 *Attorneys for Plaintiff*

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1        This Stipulation is hereby entered into by and between Kevin Reed (“Plaintiff”) and the  
2 California Department of Corrections and Rehabilitation, Bick, Blank, Chawla, Cueva,  
3 Dizon, Fox, Gerbasi, House, Hurley, Pai, Russell, Snelling, and Tan (“Defendants”)  
4 (collectively referred to as the “Parties”), by and through their respective counsel of record, as  
5 follows:

6        **WHEREAS**, on February 21, 2023, Defendants filed a Motion to Dismiss. ECF No. 58.

7        **WHEREAS**, the current deadline for Plaintiff’s Opposition is March 7, 2023, the  
8 deadline for Defendants’ Reply is March 17, 2023, and the proposed hearing date is March 29,  
9 2023, at 10:00 a.m.

10       **WHEREAS**, the Parties agree to postpone the proposed hearing and modify the current  
11 briefing schedule on Defendants’ Motion to Dismiss so that Plaintiff, who is currently  
12 incarcerated, may have sufficient time to confer with his counsel.

13       **NOW, THEREFORE, IT IS HEREBY STIPULATED**, as follows:

14       1. Plaintiff’s Opposition shall be filed no later than April 4, 2023.  
15       2. Defendants’ Reply shall be filed no later than April 18, 2023.  
16       3. The proposed hearing set for March 29, 2023, shall be vacated and reset for April 26,  
17 2023, at 10:00 a.m., or as soon thereafter as the Court’s schedule will allow.

18       The Parties respectfully request that the Court approve the foregoing deadlines in the  
19 Proposed Order below.

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1 Dated: February 27, 2023 Respectfully submitted,

2 DISABILITY RIGHTS CALIFORNIA

3 /s/ Oscar D. Lopez  
4 Oscar Daniel Lopez  
5 Counsel for Plaintiff

6 THE LAW OFFICE OF AARON J. FISCHER

7 /s/ Aaron J. Fischer (as authorized on 2/27/23)  
8 Aaron J. Fischer  
9 Counsel for Plaintiff

10 KING & SPALDING LLP

11 /s/ Mark Zambarda (as authorized on 2/27/23)  
12 Mark Zambarda  
13 Counsel for Plaintiff

14 ROB BONTA  
15 Attorney General of California  
16 JON S. ALLIN  
17 Supervising Deputy Attorney General

18 /s/ Jeremy Duggan (as authorized on 2/27/23)  
19 JEREMY DUGGAN  
20 Deputy Attorney General  
21 Counsel for Defendants

22 **SIGNATURE ATTESTATION**

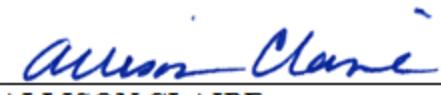
23 The e-filing attorney hereby attests that concurrence in the content of the document and  
24 authorization to file the document has been obtained from each of the other signatories indicated  
25 by a conformed signature (/s/) within this e-file document.

26 Dated: February 27, 2023

27 /s/ Oscar D. Lopez  
28 Oscar Daniel Lopez

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
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4 Dated: February 28, 2023  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE