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Attorneys for Plaintiff
(Additional Counsel for Plaintiff listed on following page)

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, 8th floor

Before: Hon. Allison Claire

Oscar Daniel Lopez, SBN No. 297527
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DISABILITY RIGHTS CALIFORNIA
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Attorneys for Plaintiff

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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23 //

1 Dated: February 27, 2023 Respectfully submitted,

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3 DISABILITY RIGHTS CALIFORNIA

4 /s/ Oscar D. Lopez

5 Oscar Daniel Lopez
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
Counsel for Plaintiff

9 KING & SPALDING LLP

10 /s/ Mark Zambarda (as authorized on 2/27/23)

11 Mark Zambarda
Counsel for Plaintiff

12
13 ROB BONTA
Attorney General of California
14 JON S. ALLIN
Supervising Deputy Attorney General

15
16 /s/ Jeremy Duggan (as authorized on 2/27/23)

17 JEREMY DUGGAN
Deputy Attorney General
18 Counsel for Defendants

19
20 **SIGNATURE ATTESTATION**

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

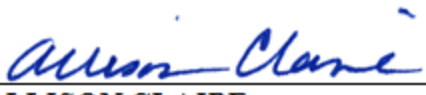
24
25 Dated: February 27, 2023

/s/ Oscar D. Lopez

Oscar Daniel Lopez

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: February 28, 2023


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE