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THE UNIVERSITY OF CALIFORNIA  
8

9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION  
11

12 ANTHONY CRAVOTTA, II,

13 Plaintiff,

14 v.

15 COUNTY OF SACRAMENTO;  
SACRAMENTO COUNTY SHERIFF'S  
16 DEPARTMENT; SCOTT JONES;  
CHRISTOPHER STURGIS; CRISTINA  
17 ALBRIGHT-MUNDY; DAISY HER;  
BRADLEY WHITING; JACQUELYN  
18 BLEVINS; SINGH; BENNETT  
PRESTON; ANDREA HAYNES; MOISES  
19 PAREDES; RONNIE MCLEAN; JUSTIN  
HIGLEY; TAKUYA NODA; REGENTS OF  
20 THE UNIVERSITY OF CALIFORNIA;  
NICOLE GARCES-BARRELLA; DIANE  
21 ORAN; JACLYN DECARLO; MELISSA  
TURNER; STATE OF CALIFORNIA;  
22 CALIFORNIA DEPARTMENT OF STATE  
HOSPITALS, and DOE 1 to 10,  
23

24 Defendants.

Case No. 2:22-CV-00167-DJC-AC

**STIPULATION AND ORDER EXCUSING  
ANSWERS TO THE SECOND AMENDED  
COMPLAINT AND GRANTING  
PLAINTIFF LEAVE TO FILE A THIRD  
AMENDED COMPLAINT**

*ASSIGNED TO THE HON. DANIEL J.  
CALABRETTA – COURTROOM 10*

Complaint Filed: January 26, 2022  
1st Am. Complaint Filed: August 4, 2022  
2nd Am. Complaint Filed: March 18, 2024  
Trial Date: Not Yet Set

25 Under Federal Rules of Civil Procedure 6(b), 15(a)(3), and Local Rules 143 and  
26 144(a), Plaintiff ANTHONY CRAVOTTA II, by and through his counsel, Mark E. Merin and  
27 Paul H. Masuhara of the Law Office of Mark E. Merin, and Defendants COUNTY OF  
28 SACRAMENTO, SACRAMENTO COUNTY SHERIFF'S DEPARTMENT, SCOTT JONES,

1 CHRISTOPHER STURGIS, CRISTINA ALBRIGHT-MUNDY, DAISY ROLLON (née HER),  
 2 BRADLEY WHITING, JACQUELYN BLEVINS, RAMANDEEP SINGH, ANDREA HAYNES,  
 3 MOISES PAREDES, RONNIE MCLEAN, JUSTIN HIGLEY, and TAKUYA NODA by and  
 4 through their counsel Jonathan B. Paul and Jill B. Nathan of Rivera Hewitt Paul LLP, and  
 5 Defendant BENNETT PRESTON by and through his counsel Van Longyear and Nicole M.  
 6 Cahill of Longyear and Lavra, LLP, and Defendants THE REGENTS OF THE UNIVERSITY  
 7 OF CALIFORNIA, NICOLE GARCES-BARRELLA, DIANE ORAN, JACLYN DECARLO  
 8 and MELISSA TURNER by and through counsel Neal Lutterman, Adriana C. Cervantes  
 9 and Suzanne M. Nicholson of Wilke Fleury LLP, and Defendants STATE OF CALIFORNIA  
 10 and CALIFORNIA DEPARTMENT OF STATE HOSPITALS by and through their counsel  
 11 Diana Esquivel, Deputy Attorney General for the Office of the Attorney General of  
 12 California, hereby stipulate and request that Defendants be excused from filing responsive  
 13 pleadings to the Plaintiff's Second Amended Complaint ("SAC") (Doc. 86), which was filed  
 14 on March 18, 2024, and allow Plaintiff leave to file a Third Amended Complaint to which all  
 15 parties shall then file responses.

16 Good cause exists to grant this stipulated request because the parties intend, or  
 17 have already begun, to meet and confer regarding concerns with the allegations of the SAC  
 18 and judicial economy and efficiency will best be served by excusing the defendants from  
 19 responding to the SAC and allowing Plaintiff leave to file a TAC following these meet and  
 20 confer efforts. The filing of a TAC will render any responses to the SAC moot.

21 When an act must be done within a specified time, the court may, for good cause,  
 22 extend the time with or without motion or notice if the court acts, or if a request is made,  
 23 before the original time expires. Fed. R. Civ. P. 6(b)(1)(A). Responses to amended  
 24 pleadings must be made within 14 days of service of the amended pleading unless  
 25 otherwise ordered by the court. Fed. R. Civ. P. 15(a)(3).

26 On March 28, 2024 the parties stipulated to various extensions of time in which to  
 27 file responsive pleadings to the SAC. (Doc. 90.) On April 17, 2024, Plaintiff and defendants  
 28 STATE OF CALIFORNIA and CALIFORNIA DEPARTMENT OF STATE HOSPITALS (the

1 “State Defendants”) stipulated to an extension of time to April 27, 2024 for the State  
2 Defendants to respond to the SAC. (Doc. 92.) On April 18, 2024, Plaintiff and Defendant  
3 REGENTS OF THE UNIVERSITY OF CALIFORNIA, STATE OF CALIFORNIA (“The  
4 Regents”) stipulated to an extension of time to April 29, 2024 for the Regents to respond  
5 to the SAC. (Doc. 93.) On April 19, 2024, Plaintiff and defendants COUNTY OF  
6 SACRAMENTO, SACRAMENTO COUNTY SHERIFF’S DEPT., SCOTT JONES,  
7 ANDREA HAYNES, MOISES PAREDES, RONNIE MCLEAN, JUSTIN HIGLEY,  
8 RAMANDEEP SINGH, CHRISTOPHER STURGIS, DAISY ROLLON, BRADLEY  
9 WHITING, JACQUELINE BLEVINS, TAKUYA NODA and CRISTINA ALBRIGHT-MUNDY  
10 and BENNETT PRESTON (the “County Defendants”) stipulated to an extension of time to  
11 April 29, 2024 for the County Defendants to respond to the SAC. (Doc. 94.)

12 Defendants CHRISTOPHER STURGIS, CRISTINA ALBRIGHT-MUNDY, DAISY  
13 ROLLON (née HER), BRADLEY WHITING, JACQUELYN BLEVINS, RAMANDEEP  
14 SINGH, TAKUYA NODA, NICOLE GARCES-BARRELLA, DIANE ORAN, JACLYN  
15 DECARLO, and MELISSA TURNER have not yet been served with the SAC but agreed to  
16 waive service of summons.

17 The parties stipulate and have agreed to the following:

18 (1) All defendants shall be excused from responding to the SAC. (Doc. 86.)

19 (2) All defendants shall have until May 10, 2024 to meet and confer with plaintiff  
20 ANTHONY CRAVOTTA II regarding any concerns with the allegations of the  
21 Second Amended Complaint (“SAC”).

22 (3) Plaintiff ANTHONY CRAVOTTA II will have until May 20, 2024 to respond to any  
23 and all such meet and confer efforts.

24 (4) Plaintiff ANTHONY CRAVOTTA II will have until June 3, 2024 to file his Third  
25 Amended Complaint (“TAC”).

26 (5) Plaintiff ANTHONY CRAVOTTA II agrees that his TAC shall contain no new  
27 substantive allegations concerning the State Defendants, except as necessitated by  
28 the parties’ meet-and-confer efforts and ongoing discovery.

(6) Pursuant to FRCP 15(a)(3), defendants who have previously appeared (Defendants COUNTY OF SACRAMENTO, SACRAMENTO COUNTY SHERIFF'S DEPARTMENT, SCOTT JONES, ANDREA HAYNES, MOISES PAREDES, RONNIE MCLEAN, JUSTIN HIGLEY, BENNETT PRESTON, REGENTS OF THE UNIVERSITY OF CALIFORNIA, STATE OF CALIFORNIA, and CALIFORNIA DEPARTMENT OF STATE HOSPITALS) shall have 14 days after June 3, 2024 to respond to the Third Amended Complaint.

(7) Pursuant FRCP 12, defendants who have not previously appeared (Defendants CHRISTOPHER STURGIS, CRISTINA ALBRIGHT-MUNDY, DAISY ROLLON (née HER), BRADLEY WHITING, JACQUELYN BLEVINS, RAMANDEEP SINGH, TAKUYA NODA, NICOLE GARCES-BARRELLA, DIANE ORAN, JACLYN DECARLO, and MELISSA TURNER) shall have 21 days after June 3, 2024 to file a responsive pleading to the TAC.

(8) The parties agree that this stipulation to allow plaintiff to file a Third Amended Complaint shall not waive any right any defendant may have to challenge the substance of the Third Amended Complaint or constitute a waiver of any claim or defense any defendant may have to any claims stated therein, except as to the limitations imposed by the Federal Rules of Civil Procedure including Rule 12(g) and (h).

IT IS SO STIPULATED.

DATED: April 25, 2024

WILKE FLEURY LLP

By: /S/ Suzanne M. Nicholson

NEAL C. LUTTERMAN  
ADRIANA C. CERVANTES  
SUZANNE M. NICHOLSON  
Attorneys for Defendant

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA

1 DATED: April 25, 2024

LAW OFFICE OF MARK E. MERIN

2  
3 By: /S/ Paul H. Masuhara

4 MARK E. MARIN  
5 PAUL H. MASUHARA  
6 Attorneys for Plaintiff  
7 ANTHONY CRAVOTTA II

8 DATED: April 24, 2024

RIVERA HEWITT PAUL LLP

9 By: /S/ Jill B. Nathan

10 JONATHAN B. PAUL  
11 JILL B. NATHAN  
12 Attorneys for Defendants  
13 COUNTY OF SACRAMENTO,  
14 SACRAMENTO COUNTY SHERIFF'S  
15 DEPARTMENT, SCOTT JONES, SGT.  
16 HAYNES, DEPUTY PAREDES, DEPUTY  
17 MCLEAN and DEPUTY HIGLEY

18 DATED: April 25, 2024

LONGYEAR & LAVRA, LLP

19 By: /S/ Nicole M. Cahill

20 VAN LONGYEAR  
21 NICOLE M. CAHILL  
22 Attorneys for Defendant  
23 BENNETT PRESTON

24 DATED: April 24, 2024

25 ROB BONTA  
26 Attorney General of California  
27 CHRISTINE E. GARSKE  
28 Supervising Deputy Attorney General

By: /S/ Diana Esquivel

DIANA ESQUIVEL  
Deputy Attorney General  
Attorneys for Defendant  
STATE OF CALIFORNIA and CALIFORNIA  
DEPARTMENT OF STATE HOSPITALS

**ORDER**

Good cause appearing, and based on the parties' stipulation, this Stipulation and Order is GRANTED.

All Defendants are excused from filing a responsive pleading to the SAC, the parties shall meet and confer in accord with the schedule set forth in this Stipulation, and Plaintiff ANTHONY CRAVOTTA II is granted leave file his Third Amended Complaint ("TAC") no later than June 3, 2024.

IT IS SO ORDERED.

DATED: April 25, 2024

/s/ Daniel J. Calabretta

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THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE