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*Angell, in her official capacity as*  
 9 *California Public Health Officer*

10 IN THE UNITED STATES DISTRICT COURT  
 11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 **ADAM BRANDY; ET AL.,**

16 Plaintiffs,

17 v.

20 **ALEX VILLANUEVA; ET AL.,**

21 Defendants.

2:20-cv-02874-AB-AK

**SECOND STIPULATION TO  
 EXTEND STATE DEFENDANTS'  
 TIME TO RESPOND TO FIRST  
 AMENDED COMPLAINT BY 30  
 DAYS**

JUDGE: Hon. André Birotte Jr.

Complaint Served: April 2, 2020

Current response date: May 25, 2020

Proposed response date: June 24, 2020

1 Pursuant to Local Rule 7-1, the parties, Plaintiffs Adam Brandy, et al., and  
2 State Defendants Gavin Newsom, California Governor, and Sonia Y. Angell,  
3 California Public Health Officer (collectively, the “Parties”), through their  
4 respective attorneys of record, hereby request that the Court extend the time for  
5 State Defendant to respond to Plaintiffs’ First Amended Complaint by 30 days, to  
6 and including June 24, 2020.

7 RECITALS AND GROUNDS FOR RELIEF

8 WHEREAS, Plaintiffs filed their Original Complaint (Dkt. No. 1) on March  
9 27, 2020 and their First Amended Complaint (Dkt No. 9) on March 29, 2020;

10 WHEREAS, counsel for State Defendants agreed to accept service by email  
11 on behalf of the State Defendants, and Plaintiffs served the State Defendants by  
12 email on April 2, 2020;

13 WHEREAS, under Federal Rule of Civil Procedure 12(a)(1)(A) and  
14 15(a)(3), State Defendant’s response to the First Amended Complaint was due on  
15 or before April 23, 2020;

16 WHEREAS, during an email meet-and-confer between counsel for State  
17 Defendants and counsel for Plaintiffs on April 16, 2020, counsel for Plaintiffs  
18 indicated that Plaintiffs intend to seek leave to amend the First Amended  
19 Complaint;

20 WHEREAS, the Parties agreed that the State Defendants need not respond to  
21 the First Amended Complaint because Plaintiffs intend to seek leave to file a  
22 second amended complaint by motion or stipulation;

23 WHEREAS, the Parties previously stipulated to extend the time for State  
24 Defendants to respond to the First Amended Complaint by 30 days, to and  
25 including May 25, 2020 (Dkt. No. 33), and this Court granted such request (Dkt  
26 No. 34);

1 WHEREAS, Parties are engaged in settlement discussions and Plaintiffs  
2 need additional time to seek leave to file a second amended complaint by motion  
3 or stipulation;

4 NOW THEREFORE, the Parties STIPULATE that the time for State  
5 Defendants to respond to the First Amended Complaint is further extended by 30  
6 days, to and including June 24, 2020.

7 Accordingly, the Parties respectfully request that the Court adopt the  
8 attached Proposed Order granting the stipulation described above.

9  
10 Dated: May 25, 2020 Xavier Becerra  
11 Attorney General of California  
12 Mark R. Beckington  
13 Supervising Deputy Attorney General  
14 /s/ Peter H. Chang  
15 Peter H. Chang  
16 Deputy Attorney General  
17 *Attorneys for Defendants Gavin Newsom, in  
his official capacity as Governor and Sonia  
Y. Angell, in her official capacity as  
California Public Health Officer*

18 Dated: May 25, 2020 Seiler Epstein LLP  
19 /s/ George M. Lee  
20 George M. Lee  
21 *Attorneys for Plaintiffs*

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Attestation of Concurrence in Filing

I, Peter H. Chang, am the ECF user whose ID and password are being used to file the foregoing Second Stipulation to Extend State Defendants’ Time to Respond to First Amended Complaint by 30 Days. Pursuant to Local Rule 5-4.3.4(a)(2), I hereby attest that all signatories listed above, and on whose behalf this filing is submitted, concur in the filing’s content and have authorized the filing.

Dated:            May 25, 2020                            /s/ Peter H. Chang  
Peter H. Chang  
Deputy Attorney General