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6 Attorneys for Defendant Shannon D. Dicus, San Bernardino County Sheriff-Coroner, in  
his official capacity  
7

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
10

11 EMPYREAL ENTERPRISES, LLC,  
d/b/a EMPYREAL LOGISTICS

12  
13 Plaintiff,

14  
15 v.  
16

17 The United States of America; the  
U.S. Department of Justice; Attorney  
18 General MERRICK GARLAND, in  
his official capacity; the Federal  
19 Bureau of Investigation;  
CHRISTOPHER A. WRAY, Director  
20 of the Federal Bureau of Investigation,  
in his official capacity; KRISTI  
21 KOONS JOHNSON, Assistant  
22 Director of the Federal Bureau of  
23 Investigation overseeing the FBI's Los  
24 Angeles Field Office, in her official  
25 capacity; the Drug Enforcement  
Administration; ANNE MILGRAM,  
26 Administrator of the Drug  
27 Enforcement Administration, in her  
official capacity; SHANNON D.  
28

Case No. 5:22-cv-00094-JWH-SHK

STIPULATION TO EXTEND TIME TO  
RESPOND TO FIRST AMENDED  
COMPLAINT

Complaint Served: January 24, 2022  
FAC Filed: March 16, 2022  
Current Response Date: April 14, 2022  
New Response Date: May 13, 2022

Honorable District Court Judge  
John W. Holcomb

Honorable Magistrate Judge  
Shashi H. Kewalramani

1 DICUS, San Bernardino County  
2 Sheriff-Coroner, in his official  
3 capacity as the head of the San  
4 Bernardino County Sheriff’s Office.

5 Defendants.

6  
7  
8 Plaintiff EMPYREAL ENTERPRISES, LLC d/b/a EMPYREAL LOGISTICS  
9 (“Plaintiff”) and Defendant SHANNON D. DICUS, San Bernardino County Sheriff-  
10 Coroner, in his official capacity (the “Sheriff”), by and through their counsel of record,  
11 hereby stipulate that Defendant SHANNON D. DICUS shall have until May 13, 2022 to  
12 respond to Plaintiff’s First Amended Complaint for Declaratory and Injunctive Relief.  
13 Plaintiff filed a First Amended Complaint on March 16, 2022. The parties initially agreed  
14 that the Sheriff’s deadline to respond to the First Amended Complaint would be April 14,  
15 2022. See Order, Dkt. 73.

16 Subsequently, counsel for Plaintiff and for the Sheriff have been in discussion  
17 regarding potential settlement and dismissal of this matter in its entirety. The parties  
18 believe additional time is warranted to reach a settlement agreement as productive  
19 dialogue between the parties is ongoing.

20 In the interest of litigation and judicial economy, the parties hereby stipulate that  
21 the deadline for the Sheriff deadline to respond to the First Amended Complaint should be  
22 extended to May 13, 2022 and request a Court order reflecting the same.

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24 //

1 The parties further stipulate and agree that the Sheriff retains the right to respond  
2 via motion pursuant to Rule 12(b) of Federal Rules of Civil Procedure on or before the  
3 extended date.

4  
5 **SO STIPULATED.**

6  
7 DATED: April 13, 2022

Respectfully submitted,  
8 KOELLER, NEBEKER, CARLSON & HALUCK

9  
10 /s/ David C. Bass  
11 DAVID C. BASS  
12 Attorneys for Plaintiff Empyreal Enterprises, LLC

13  
14 DATED: April 13, 2022

Respectfully submitted,  
15 TOM BUNTON  
16 County Counsel

17 /s/ Heidi K. Williams  
18 HEIDI K. WILLIAMS  
19 Deputy County Counsel  
20 Attorneys for Defendant  
21 Shannon D. Dicus, San Bernardino County  
22 Sheriff-Coroner, in his official capacity

23 I certify that all other signatories listed, and on whose behalf the filing is submitted,  
24 concur in the filing's content and have authorized the filing.

25 /s/ Heidi K. Williams  
26 HEIDI K. WILLIAMS