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18 PACKARD CLAIMS ADMINISTRATION, INC.

19 UNITED STATES DISTRICT COURT

20 EASTERN DISTRICT OF CALIFORNIA

21 AMERICAN PAYROLL)
22 OUTSOURCING, INC. dba APO)
23 STAFFING, INC., A NEVADA)
24 CORPORATION,)

25 Plaintiff.

26 vs.

27 SOUTHEAST PERSONNEL)
28 LEASING, INC., A FLORIDA)
CORPORATION, PACKARD)
CLAIMS ADMINISTRATION, INC.,)
A FLORIDA CORPORATION, AND)
DOES 1 THROUGH 50,)

Defendants

CASE NO.: 1:17-cv-00241-LJO-EPG
STIPULATION BY ALL PARTIES TO:

(1) TO EXTEND TIME IN WHICH TO RESPOND TO PLAINTIFF'S COMPLAINT PURSUANT TO LOCAL RULE 144(a)

(2) STIPULATION TO TRANSFER CASE TO UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION PURSUANT TO 28 U.S.C. § 1404(b) AND LOCAL RULE 120(f)

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1 **TO THE CLERK OF THE UNITED STATES DISTRICT COURT**
2 **FOR THE EASTERN DISTRICT OF CALIFORNIA, AND TO ALL**
3 **PARTIES THROUGH THEIR COUNSEL OF RECORD HEREIN:**

4 Plaintiff AMERICAN PAYROLL OUTSOURCING, INC. DBA APO
5 STAFFING, INC. (“APO”) and Defendants SOUTHEAST PERSONNEL
6 LEASING, INC. (“SPLI”) and PACKARD CLAIMS ADMINISTRATION, INC.
7 (“Packard”) (collectively the “Parties”), by and through their respective counsel of
8 record, hereby agree and stipulate to the following:

9 1. On February 16, 2017, this case was timely and properly removed to
10 this Court by Defendants based on diversity of citizenship jurisdiction (28 U.S.C.
11 §§ 1332 and 1441(b).)

12 2. A response to the Complaint is due to be filed no later than seven days
13 after removal, or February 23, 2017.

14 3. The Parties have met and conferred and agree the appropriate venue
15 for this matter, based upon a forum selection provision in the governing contract,
16 the interests of justice, and the convenience of the Parties, is the United States
17 District Court for the Central District of California, Southern Division.

18 4. In accordance with 28 U.S.C. § 1404(b) and Local Rule 120(f) the
19 Parties hereby agree and stipulate to transfer this case to the United States District
20 Court for the Central District of California, Southern Division.

21 5. Given that a responsive pleading is due on or before February 23,
22 2017, the Parties also agree and stipulate that Defendants be provided an initial
23 extension of time of no more than 28 days to respond to the Complaint pursuant to
24 Local Rule 144(a). Defendants’ responsive pleadings will therefore be due no later
25 than March 23, 2017.

26 6. This one-time extension will allow sufficient time for the case to be
27 transferred to the Central District, and will also allow the Parties an opportunity to
28 attempt to resolve this matter prior to the time a responsive pleading is due.

1 7. Good cause exists both as to the transfer of this matter, as well as the
2 extension of time for Defendants to respond to the Complaint as indicated above.

3 IT IS SO STIPULATED.

4 Dated: February 22, 2017

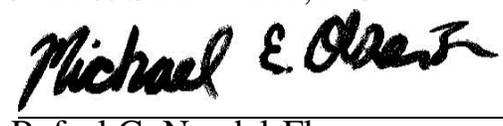
GORDON & REES LLP

5 By: 

Roger M. Mansukhani
Eric R. Deitz
Carrie A. Stringham
Attorneys for Defendants
SOUTHEAST
PERSONNEL LEASING, a
Florida Corporation

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12 DATED: February 23, 2017

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

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15 By: 

Rafael G. Nendel-Flores
Michael E. Olsen

Attorneys for Defendant
PACKARD CLAIMS
ADMINISTRATION, INC.

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21 DATED: February 23, 2017

DOSS LEGAL SERVICES

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23 By: _____

Bryan S. Doss

Attorneys for Plaintiff,
AMERICAN PAYROLL OUTSOURCING,
INC. DBA APO STAFFING

