

**FILED**

OCT 14 2009  
CLERK U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY DEPUTY CLERK

1 [Counsel listed on following page.]

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION**

IN RE TACO BELL WAGE AND HOUR  
ACTIONS

Case No. 1:07-cv-01314-OWW-DLB

**JOINT STIPULATION AND [REDACTED]  
ORDER TO PERMIT TAKING OF  
PLAINTIFFS' RULE 30(b)(6)  
DEPOSITION OF DEFENDANT YUM!  
BRANDS, INC. AFTER OCTOBER 26,  
2009 DISCOVERY CUT-OFF**

INITIATIVE LEGAL GROUP APC  
1800 CENTURY PARK EAST, SECOND FLOOR, LOS ANGELES, CALIFORNIA 90067

Medlock, Taco Bell Corp., et al.

Doc. 128

- 1 Mónica Balderrama (SBN 196424)  
MBalderrama@InitiativeLegal.com
- 2 Shawn Westrick (SBN 235313)  
SWestrick@InitiativeLegal.com
- 3 Gregory Yu (SBN 230520)  
GYu@InitiativeLegal.com
- 4 David Cheng (SBN 240926)  
DCheng@InitiativeLegal.com
- 5 Initiative Legal Group, APC  
1800 Century Park East, Second Floor
- 6 Los Angeles, California 90067  
Telephone: (310) 556-5637
- 7 Facsimile: (310) 861-9051
  
- 8 Interim Lead Counsel for Plaintiffs
  
- 9 Kenneth H. Yoon (State Bar No. 198443)  
LAW OFFICES OF KENNETH H. YOON
- 10 One Wilshire Boulevard, Suite 2200  
Los Angeles, California 90017-3383
- 11 Telephone: (213) 612-0988  
Facsimile: (213) 947-1211
- 12 Kyoonyoon@yoon-law.com
  
- 13 Larry W. Lee (State Bar No. 228175)  
DIVERSITY LAW GROUP, APC
- 14 444 S. Flower Street  
Citigroup Center, Suite 1370
- 15 Los Angeles, California 90071  
Telephone: (213) 488-6555
- 16 Facsimile: (213) 488-6554  
lwlee@diversitylaw.com
  
- 17 Peter M. Hart (State Bar No. 198691)  
LAW OFFICES OF PETER M. HART
- 18 13952 Bora Bora Way, F-320  
Marina Del Rey, California 90292
- 19 Telephone: (310) 478-5789  
Facsimile: (509) 561-6441  
hartpeter@msn.com
  
- 20 Liaison Counsel for Plaintiff Loraine Naranjo
  
- 21 Timothy J. Donahue (State Bar No. 110501)  
Law Offices of Timothy J. Donahue
- 22 374 South Glassell Street  
Orange, California 92866
- 23 Telephone: (714) 289-2445  
Facsimile: (714) 289-2450
  
- 24 Liaison Counsel for Plaintiff Miriam Leyva
  
- 25 Layn R. Phillips (SBN 103854)  
lphillips@irell.com
- 26 Andra Barmash Greene (SBN 123931)

1 agreene@irell.com  
Julie M. Davis (SBN 232488)  
2 jdavis@irell.com  
Aaron H. Cole (236655)  
3 acole@irell.com  
Irell & Manella LLP  
4 840 Newport Center Drive, Suite 400  
Newport Beach, California 92660-6324  
5 Telephone: (949) 760-0991  
Facsimile: (949) 760-5200

6 LITTLER MENDELSON  
7 Spencer H. Hipp (SBN 90485)  
shipp@littler.com  
8 5200 North Palm Avenue, Suite 302  
Fresno, California 93704-2225  
9 Telephone: (559) 244-7500  
Facsimile: (559) 244-7525

10 Attorneys for Defendants  
11 Taco Bell Corp., Taco Bell of America, Inc.  
and Yum! Brands, Inc.  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs and Defendant  
2 Yum! Brands, Inc. ("Defendant") that, pending approval by the Court, Plaintiffs may take the  
3 noticed Rule 30(b)(6) Deposition of Defendant Yum! Brands, Inc. after the October 26, 2009  
4 discovery cut-off date.

5 This stipulation is based on the following facts:

6 1. Pursuant to the Court's July 2, 2009 Amended Scheduling Conference Order, the  
7 discovery cut-off date in connection with the issue of whether Yum! Brands, Inc. is a proper party  
8 defendant is October 26, 2009.

9 2. On September 9, 2009, Plaintiffs duly served Defendant Yum! Brands, Inc. with a  
10 Notice of Rule 30(b)(6) Deposition, noticing the deposition for September 29, 2009.  
11 Subsequently, on October 1, 2009, Plaintiffs served Defendant Yum! Brands, Inc. with an  
12 Amended Notice of Rule 30(b)(6) Deposition, noticing the deposition for October 9, 2009.

13 3. Despite diligent efforts, Defendant, who is located in Louisville, Kentucky, is  
14 unable to produce an appropriate corporate designee to testify with respect to the multiple and  
15 complex topics requested by Plaintiffs before the October 26, 2009 discovery cut-off date.

16 4. The parties have met and conferred and have agreed to conduct the deposition on  
17 November 12, 2009, at 10:00 a.m., at a neutral location in Orange County, California. For the  
18 convenience of Plaintiffs, Defendant has agreed to bring the witness to California from Kentucky  
19 at Defendant's expense.

20 5. The agreed upon November 12, 2009 date of the 30(b)(6) deposition of Yum!  
21 Brands, Inc. will not affect the present deadline of November 30, 2009 for Defendant to file any  
22 dispositive motion concerning Yum! Brands, Inc.'s inclusion in this lawsuit.

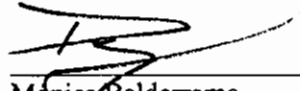
23 6. The parties have agreed to no other changes to the Court's July 2, 2009 Amended  
24 Scheduling Conference Order, and to no other exceptions to the October 26, 2009 cut-off date for  
25 discovery on the issue of whether Yum! Brands, Inc. is a proper party defendant.

26 7. Accordingly, the parties hereby apply to the Court for approval of the parties'  
27 stipulation to permit Plaintiffs to conduct the noticed Rule 30(b)(6) Deposition of Defendant  
28 Yum! Brands, Inc. after the October 26, 2009 discovery cut-off date.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: October 8, 2009

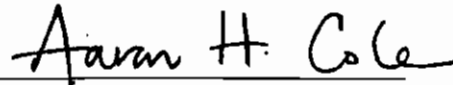
Initiative Legal Group, APC



Monica Balderrama  
Shawn Westrick  
Gregory Yu  
David Cheng  
Interim Lead Counsel for Plaintiffs

Dated: October 8, 2009

Irell & Manella LLP



Layn R. Phillips  
Andra Barmash Greene  
Julie M. Davis  
Aaron H. Cole  
Attorneys for Defendants

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

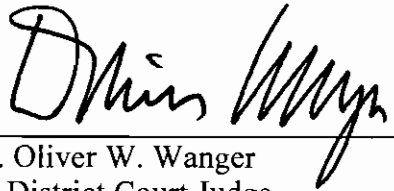
~~CONFIDENTIAL~~ ORDER

The Court has read and considered the Joint Stipulation to Permit Taking of Plaintiffs' Rule 30(b)(6) Deposition of Defendant Yum! Brands, Inc. After October 26, 2009 Discovery Cut-Off.

Good cause appearing therefore, IT IS ORDERED that Plaintiff are allowed to take the noticed Rule 30(b)(6) Deposition of Defendant Yum! Brands, Inc. after the October 26, 2009 discovery cut-off date in connection with the issue of whether Yum! Brands, Inc. is a proper party defendant.

**IT IS SO ORDERED.**

Dated: 10-13-09

  
\_\_\_\_\_  
Hon. Oliver W. Wanger  
U.S. District Court Judge