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16 UNITED STATES DISTRICT COURT
 17 EASTERN DISTRICT OF CALIFORNIA
 18

19 Case No. 1:08-cv-01099-OWW-SMS

20 *[Class Action]*

20 OCTAVIO ALVARADO, PABLO MARTINEZ,
 OMAR GOMEZ, DANIEL GOMEZ, JOSE DE
 21 JESUS GARCIA, on behalf of themselves and all
 other similarly situated individuals,

**STIPULATION AND ORDER TO STAY
 ACTION PENDING MEDIATION**

22 PLAINTIFF,

23 vs.

24
 25 REX NEDEREND AND SHERI NEDEREND
 26 (dba "Northstar Dairy," "Wildwood Farms,"
 "Freeway Associates")
 27 DEFENDANTS.

Honorable Oliver W. Wanger



1 **JOINT STIPULATION**

2 Plaintiffs Octavio Alvarado, Pablo Martinez, Omar Gomez, Daniel Gomez and Jose de Jesus
3 Garcia (“Plaintiffs”), and Defendants Rex and Sheri Nederend (“Defendants”), by and through their
4 undersigned counsel, hereby stipulate and agree as follows:

5 1. The parties to the action hereby agree to mediate the case and to stay the case
6 pending mediation for 120 calendar days from the date the Order is signed, except as described
7 below.

8 2. The parties agree that, in the interest of avoiding unnecessary attorney time and
9 expense associated with the review of voluminous paper documents, and pursuant to the Federal
10 rules requiring production of information in electronic form, Defendants shall make best efforts to
11 produce, at least 30 days before mediation, a database in native form containing time and payroll
12 information of putative class members to aid the parties in preparing and conducting mediation. To
13 the extent that this time and payroll data contains confidential information of putative class
14 members, such information shall be governed by the Protective Order in place in this case and may
15 be redacted in conformance with said Protective Order.

16 3. The time for Plaintiffs to file an amended complaint is extended until 20 days after
17 the stay expires.

18 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

19
20 DATED: September 28, 2009

SAGASER, JONES & HELSLEY

21
22 By /s/ Howard A. Sagaser
23 HOWARD A. SAGASER,
24 Attorneys for Defendants,
25 Rex Nederend, Sheri Nederend dba
26 “Northstar Dairy”, “Wildwood Farms” and
27 “Freeway Associates

28 DATED: September 31, 2009

SAMUEL & SAMUEL

By: /s/ Carl R. Samuel
CARL R. SAMUEL
Attorneys for Defendants,

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Rex Nederend, Sheri Nederend dba
“Northstar Dairy”, “Wildwood Farms” and
“Freeway Associates

DATED: September 31, 2009

MALLISON & MARTINEZ

By: /s/ Marco A. Palau
MARCO A. PALAU
Attorney for Plaintiffs,
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PURSUANT TO STIPULATION, IT IS SO ORDERED:

1. This action is stayed, except as described below, for 120 days for purposes of completing mediation.

2. Defendants shall make best efforts to produce, at least 30 days before mediation, a database in native form containing time and payroll information of putative class members.

3. Confidential information of putative class members that is contained in the time and payroll database shall be subject to the Protective Order in place in this case and may be redacted in conformance with said Protective Order.

4. The time for Plaintiffs to file an amended complaint is extended until 20 days after the stay expires.

DATED: September 1, 2009

/s/ Sandra M. Snyder
CHIEF UNITED STATES MAGISTRATE JUDGE

