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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

SABAS ARRENDONDO, et al.,
Plaintiffs,

vs.

DELANO FARMS COMPANY,
et al.,
Defendants.

CASE NO. CV F 09-1247 LJO DLB

ORDER TO SET TRIAL DATE

PHASE ONE OF TRIAL

Date: Tuesday, January 15, 2013
Time: 8:30 a.m.
Court: 4 (LJO)
Court trial: 6 day estimate

Pursuant to this Court’s June 19, 2012 order granting defendant Delano Farms’ motion to bifurcate this action for trial purposes, this Court held a trial-setting conference on June 26, 2012 to set a trial date for the first phase of the trial. Plaintiffs appeared by counsel Greg Ramirez and Thomas Lynch. Defendants T& R Bangi and Cal-Pacific Farm Management appeared by counsel Michael Johnson. Defendant Delano Farms appeared by counsel Howard Sagaser. Consistent with what this Court ordered at that hearing, which is preserved on the record, this Court issues the following order.

1. Trial date and time

The trial shall commence on **Tuesday, January 15, 2013** at 8:30 a.m.

2. Magistrate Judge Consent

Although this action is now scheduled in this Court, the parties agreed to meet and confer with their clients and each other to discuss the issue of magistrate judge consent. The parties shall discuss whether they agree to consent to magistrate judge jurisdiction. If all parties agree to magistrate judge jurisdiction, then the parties shall also meet and confer to select which magistrate judge they would like to preside over both phases of this trial. The parties must contact this Court **no later than July 11, 2012** to indicate whether they have agreed to consent to magistrate judge jurisdiction or whether they have

1 declined. The parties may inform this Court by calling chambers at (559) 499-5990.

2 **3. Stipulated Deposition Testimony**

3 At the hearing, plaintiffs' counsel indicated a possibility of the parties offered stipulated
4 deposition testimony in lieu of live testimony at trial. Should the parties wish to offer stipulated
5 deposition testimony, the parties shall file and serve the designated pages and lines of the deposition
6 testimony no later than **January 8, 2013**. The designated depositions shall be lodged with the clerk of
7 this Court no later than **January 8, 2012**.

8 **4. Further Discovery for Possible Defendant**

9 The parties indicated that new evidence emerged that one of the defendants may no longer be in
10 business and that another business entity has emerged that may be related to that defendant. Plaintiff
11 requested further discovery as to this potential defendant Kern Agriculture Labor Management. This
12 request is granted.

13 IT IS SO ORDERED.

14 **Dated: June 26, 2012**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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