

1 David N. Bruce, Pro Hac Vice
James P. Savitt, Pro Hac Vice
2 Miles A. Yanick, Pro Hac Vice
Sarah Gohmann Bigelow, Pro Hac Vice
3 **SAVITT BRUCE & WILLEY LLP**
1425 Fourth Avenue, Suite 800
4 Seattle, Washington 98101
Telephone: (206) 749-0500

5 William C. Haahsy, State Bar No. 105743
6 **LAW OFFICES OF WILLIAM C. HAHAESY**
225 West Shaw Avenue, Suite 105
7 Fresno, CA 93704
Telephone: (559) 579-1230
8 Facsimile: (559) 579-1231

9 Attorneys for Defendant DELANO FARMS COMPANY

10
11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA AT FRESNO

13 SABAS ARREDONDO, JOSE CUEVAS,
14 HILARIO GOMEZ, IRMA LANDEROS, and
ROSALBA LANDEROS individually, and on
15 behalf of all others similarly situated,

16 Plaintiffs,

17 v.

18 DELANO FARMS COMPANY, a Washington
19 State Corporation; CAL-PACIFIC FARM
MANAGEMENT, L.P.; T&R BANGI'S
20 AGRICULTURAL SERVICES, INC., and
DOES 1 through 10, inclusive,
21 Defendants.

NO. 1:09-cv-01247-MJS

**STIPULATION AND ORDER
REGARDING MODIFICATION OF
SCHEDULING ORDER**

22
23
24 On February 3, 2016, a Telephonic Discovery Dispute Conference was held to address
25 issues relating to the timing of Plaintiffs' service of written objections to Delano Farms
26 Company's Fourth Set of Interrogatories and Fifth Set of Requests for Production (the
27 "Discovery"). (Doc. 409.) The Parties were directed to meet and confer further to reach an

1 agreement for the extension of the deadlines in the Amended Scheduling Order to
2 accommodate Plaintiffs' request for additional time to serve their objections. (*Id.*)

3 Having met and conferred, the Parties hereby stipulate as follows:

4 1. Plaintiffs' Survey Completion Deadline, Expert Disclosure Deadline, and Trial
5 Plan Filing Deadline shall remain unchanged as set forth in the Amended Scheduling Order.
6 (Doc. 407.)

7 2. Plaintiffs' deadline to serve supplemental responses and objections, if any, to the
8 Discovery is February 29, 2016. Plaintiffs will use a service method that ensures Defendants'
9 receipt of all materials on February 29, 2016. To the extent the requested information or
10 documents have already been produced in Plaintiffs' expert disclosures or are being withheld
11 based on objections, Plaintiffs' responses will so state.

12 3. The Parties will meet and confer on Plaintiffs' objections and responses to the
13 Discovery on March 1, 2016.

14 4. Delano Farms will file its motion regarding Plaintiffs' objections and responses
15 to the Discovery, if necessary, by March 7, 2016. Delano Farms is further excused from
16 following the Court's procedures for a Telephonic Discovery Dispute Conference in advance of
17 filing its motion. The Parties agree to waive the provisions of Local Rule 251, including the
18 time limits for hearing on the motion and the preparation of a joint statement regarding
19 discovery disagreement. The Parties agree that the moving papers may include a notice of
20 motion, memorandum of points and authorities, and declarations. The Discovery requests,
21 objections and written responses at issue will be reproduced in full, in Delano Farms' moving
22 papers. Opposing papers may include a memorandum of points and authorities and
23 declarations. The Parties further agree that the Court may rule by minute order outlining the
24 rationale for the ruling without a detailed recitation of authority.

25 5. Any opposition to Delano Farms' Discovery motion must be filed by March 14,
26 2016.

27 6. Any reply in support of Delano Farms' Discovery motion must be filed by

1 March 17, 2016.

2 7. Delano Farms' Discovery motion will be noted for a hearing date of March 18,
3 2016. The motion will be heard without oral argument unless requested by the Court.

4 8. Defendants' deadline for making expert disclosures and filing their response to
5 Plaintiffs' trial plan is May 16, 2016. If Defendants chose to make a counter-proposal, it shall
6 be as part of the response.

7 9. Plaintiffs' deadline for filing a reply in support of their proposed trial plan is
8 June 6, 2016.

9 10. A hearing on the trial plan shall be held on June 30, 2016, at 9:30 a.m., Fresno
10 Courtroom 6 (MJS).

11 11. The Trial Scheduling Conference will remain unchanged as set forth in the
12 Amended Scheduling Order. (Doc. 407.)

13
14 **SO STIPULATED:**

15 **SAVITT BRUCE & WILLEY LLP**

15 **MCCORMICK BARSTOW LLP**

16
17 By /s/ David N. Bruce (as authorized on
18 02/05/2016)

18 David N. Bruce, *Pro Hac Vice*
19 Miles A. Yanick, *Pro Hac Vice*

20 Attorneys for Delano Farms Company

17 By /s/ D. Greg Durbin (as authorized on
18 02/05/2016)

18 D. Greg Durbin, State Bar No. 81749
19 Laura A. Wolfe, State Bar No. 266751

20 Attorneys for Cal-Pacific Farm Management,
21 L.P., and T&R Bangi's Agricultural Services, Inc.

22 **LAW OFFICES OF WILLIAM C. HAHESY**

22 **MARTINEZ AGUILASOCHO & LYNCH**

23
24 By /s/ William C. Hahesy (as authorized
25 on 02/05/2016)

25 William C. Hahesy, State Bar No. 105743

26 Attorney for Delano Farms Company

24 By /s/ Thomas Patrick Lynch (as authorized
25 on 02/05/2016)

25 Mario Martinez, State Bar No. 200721
26 Thomas Patrick Lynch, State Bar No. 159277

27 Attorneys for Plaintiffs

1
2 **ORDER**

3
4 Good cause appearing, the Court accepts and adopts the terms of the
5 STIPULATION REGARDING MODIFICATION OF SCHEDULING ORDER in Case
6 NO.1:09-cv-01247-MJS and modifies the Scheduling Order in the way and to the
7 extent provided in the said Stipulation.

8
9 IT IS SO ORDERED.

10
11 Dated: February 5, 2016

/s/ Michael J. Seng
12 UNITED STATES MAGISTRATE JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27