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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.
22

NO. 1:09-cv-01247-MJS

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

23
24 Having met and conferred, the Parties hereby submit that good cause exists to modify
25 the Court's Scheduling Order (Doc. 412), as required by Federal Rule of Civil Procedure
26 16(b)(4). Defendants had a plan for timely completion of discovery, but have encountered
27 circumstances necessitating a modification of the current scheduling order.

1 On or around March 30, 2016, counsel for California Survey Research Services
2 (“CSRS”) informed Delano Farms that they had recently been retained and that the CSRS
3 deponents were no longer available for depositions that previously had been scheduled to occur
4 on April 11 and 12 (having been continued once, at CSRS’s request, from April 6 and 7).
5 Counsel for CSRS requested a continuance of the depositions until the week of April 25 to give
6 counsel adequate time to prepare. CSRS counsel also needed time to complete the production
7 of documents responsive to Delano Farms’ subpoena. CSRS made a supplemental production
8 of documents on April 7 and has told Delano Farms' counsel that an additional production will
9 be forthcoming on April 11.

10 The deposition of Plaintiffs’ expert, Dr. Roberts, was scheduled for April 22. Because
11 Defendants intend to depose Dr. Roberts after the CSRS deponents, Defendants prefer that his
12 deposition be rescheduled for the first or second week of May and Plaintiffs do not object.

13 According to Plaintiffs’ counsel, Plaintiffs are also working in good faith with
14 Bakersfield Market Research (“BMR”) to ensure that a small number of additional documents
15 identified during the March 30 depositions of BMR representatives will be promptly produced
16 to all Defendants.

17 Good cause existing to modify the Scheduling Order, the Parties hereby stipulate as
18 follows:

19 1. Defendants’ deadline for making expert disclosures and filing their responses to
20 Plaintiffs’ trial plan is continued from May 16, 2016 to June 6, 2016. If Defendants choose to
21 make a counter-proposal, it shall be as part of their response.

22 2. Plaintiffs’ deadline for filing a reply in support of their proposed trial plan is
23 continued from June 6, 2016 to July 5, 2016.

24 3. The hearing on the trial plan shall be continued from June 30, 2016 to August
25 19, 2016, at 9:30 a.m., Fresno Courtroom 6 (MJS).

26 4. The existing discovery cut-off, May 30, 2016, is hereby stricken. The parties
27

1 will meet and confer regarding a proposed discovery cut-off and will present this cut-off date to
2 the Court at the August 9 hearing on the trial plan.

3 5. The Trial Scheduling Conference shall be continued from September 15, 2016 to
4 October 20, 2016, at 9:30 a.m., Fresno Courtroom 6 (MJS).
5

6 SO STIPULATED:
7

8 **SAVITT BRUCE & WILLEY LLP**

MCCORMICK BARSTOW LLP

9
10 By /s/ David N. Bruce (as authorized on
04/19/2016)

By /s/ D. Greg Durbin (as authorized on
04/19/2016)

11 David N. Bruce, *Pro Hac Vice*
12 Miles A. Yanick, *Pro Hac Vice*

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13 Attorneys for Delano Farms Company

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

14
15 **LAW OFFICES OF WILLIAM C. HAESY**

MARTINEZ AGUILASOCHO & LYNCH

16
17 By /s/ William C. Haesy (as authorized
on 04/19/2016)

By /s/ Mario Martinez (as authorized on
04/19/2016)

18 William C. Haesy, State Bar No. 105743

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

19 Attorney for Delano Farms Company

Attorneys for Plaintiffs

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4 **ORDER**

5 Good cause existing to modify the Scheduling Order, the Court hereby approves and
6 adopts as the Order of the Court the stipulation as follows:

- 7 1. Defendants' deadline for making expert disclosures and filing their responses to
8 Plaintiffs' trial plan is continued from May 16, 2016 to June 6, 2016. If Defendants
9 choose to make a counter-proposal, it shall be as part of their response.
10 2. Plaintiffs' deadline for filing a reply in support of their proposed trial plan is continued
11 from June 6, 2016 to July 5, 2016.
12 3. The hearing on the trial plan shall be continued from June 30, 2016 to August 19, 2016,
13 at 9:30 a.m., Fresno Courtroom 6 (MJS).
14 4. The existing discovery cut-off, May 30, 2016, is hereby stricken. The parties will meet
15 and confer regarding a proposed discovery cut-off and will present this cut-off date to
16 the Court at the August 9 hearing on the trial plan.
17 5. The Trial Scheduling Conference shall be continued from September 15, 2016 to
18 October 20, 2016, at 9:30 a.m., Fresno Courtroom 6 (MJS).

19 IT IS SO ORDERED.

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21 Dated: April 22, 2016

/s/ Michael J. Seng
22 UNITED STATES MAGISTRATE JUDGE
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