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Attorneys for Defendant
Foster Poultry Farms, A California Corporation

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

MARIA ESCRIBA,

Plaintiff,

v.

FOSTER POULTRY FARMS,
A California Corporation,

Defendant.

No.: 1:09-CV-01878-OWW-MJS

**JOINT STIPULATION AND ORDER
AMENDING PRE-TRIAL
STATEMENT TO ALLOW
ADDITIONAL EXHIBIT AND TO
WITHDRAW/MODIFY CERTAIN
OBJECTIONS**

**TRIAL DATE: JULY 14, 2011
TIME: 9:00AM
COURTROOM 3
HONORABLE OLIVER WANGER**

Plaintiff Maria Escriba and Defendant Foster Poultry Farms submit the following Joint Stipulation and Proposed Order to request that, upon the parties' agreement shown herein, the

1 Court enter its Order in the proposed form set forth below. The purpose of this Stipulation and
2 Proposed Order is to allow the parties to modify the JOINT EXHIBIT LIST of trial exhibits to
3 add one additional Exhibit (and to amend the FINAL PRE-TRIAL ORDER accordingly), and
4 also to reflect the withdrawal or modification of objections to certain discovery documents and
5 deposition designations proposed by Defendant for use at trial.

6 **Joint Stipulation**

7 It is hereby stipulated between the Parties to this action, by and through their counsel of
8 record herein, that the Court is respectfully requested to enter the Proposed Order set forth
9 following this Stipulation, to allow certain agreed modifications to the trial documents that have
10 been submitted by the parties, and to amend, to the extent necessary, the Court's FINAL PRE-
11 TRIAL ORDER to allow such modifications. The agreed modifications are set forth in the
12 following paragraphs.

- 13 1. Plaintiff may amend its portion of the JOINT EXHIBIT LIST to add one additional
14 exhibit, consisting of five pages and identified as "Handwritten notes of John Dias dated
15 1/3/08 and 1/4/07(sic)", such exhibit to be numbered Exhibit 123. The Court's FINAL
16 PRE-TRIAL ORDER shall be deemed amended accordingly.
- 17 2. Plaintiff withdraws her Objections and Opposition, based upon timeliness, to the
18 designation of the Depositions of Alfonso Flores and Carla Escriba. All other objections,
19 foundational or substantive, to the contents of those designated deposition excerpts, are
20 preserved. (For reference, Plaintiff's Objections and Opposition to these depositions are
21 set forth in the document filed in the Court Docket herein as Document 163, filed
22 6/23/11, in Paragraph II).
- 23 3. Plaintiff also withdraws her Objections and Opposition to the discovery documents
24 described in paragraph I-1 ("12/14/10 Amended Response) and paragraph I-4 (11/30/10
25 Amended Responses) of Document 163. With respect to this Stipulation, the Parties have
26 agreed that non-responsive portions of such Responses, including the pro-forma
27 objections will be redacted before use of such Responses.
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4. Plaintiff has also agreed to withdraw her objection that Defendant failed to specify specific portions of the Discovery Responses set forth in paragraphs 2, 5 and 6 of Document 163, on the following condition: Defendant will specify any specific response within those identified sets of discovery that it proposes to use, but the Parties agree that Plaintiff reserves all rights to object to the specific content of any such newly specified response, and to any foundational or substantive basis on which such response might be excluded.

DATED: June , 2011

IT IS SO STIPULATED and AGREED.

Robert E. Borton
Elizabeth Kristen
Sharon Terman
The LEGAL AID SOCIETY
--EMPLOYMENT LAW CENTER

By: _____

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ORDER

The Parties to this action having stipulated as set forth above to certain modifications of the trial-related documents in this case, and to the Amendment of the JOINT EXHIBIT LIST to add an additional Plaintiff's Exhibit and, to the extent necessary to carry out his Stipulation and Order, to the Amendment of the FINAL PRE-TRIAL ORDER, and the Parties having further stipulated to the modification or withdrawal by Plaintiff of certain specified objections to the use of Identified discovery documents, and

GOOD CAUSE APPEARING, it is hereby ORDERED that the contents of this Stipulation shall, upon signing and entry of this document, become the ORDER of the Court.

IT IS SO ORDERED.

Dated: July 12, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE