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22 Attorneys for all Plaintiffs

23 **UNITED STATES DISTRICT COURT**

24 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

25 ANTONIO MARTÍNEZ, and FELIPE
 26 NUÑEZ TORRES,

27 Plaintiffs,

28 v.

29 JOSE GILBERTO SILVEIRA, an
 30 individual; and DOES ONE through
 31 TWENTY inclusive

32 Defendants.

Case No. 1:10-cv-00234-GSA

**JOINT STIPULATION AND ORDER TO
 EXTEND DEADLINES OF THE
 PRELIMINARY SCHEDULING AND
 DISCOVERY ORDER**

33 Plaintiffs ANTONIO MARTÍNEZ and FELIPE NUÑEZ TORRES and Defendant JOSE
 34 GILBERTO SILVEIRA, through their counsel of record jointly request to this Court for an order
 35 extending the deadlines set forth in the Preliminary Scheduling and Discovery Order pursuant to
 36 Federal Rules of Civil Procedure § 16(b)(4).

1 On June 15, 2010, the parties appeared through their counsel before the Court for the
2 scheduled preliminary conference. The Court set dates for class certification including:

- 3 1. A July 16, 2010 discovery cutoff for class certification;
- 4 2. A July 30, 2010 deadline to file and serve moving papers on class certification;
- 5 3. An August 13, 2010 deadline to file and serve opposition papers on class
6 certification;
- 7 4. An August 27, 2010 deadline to file and serve reply papers on class certification; and
- 8 5. A hearing on September 10, 2010 at 9:30 a.m. in Department 10 (GSA) on the
9 motion on class certification.

10 Plaintiffs have requested discovery to Defendant pertaining to class certification. Given the
11 current set discovery cutoff, Plaintiffs would not be able to review and compel documents, if
12 necessary, that are not produced. Both parties agree that additional time is required to exchange and
13 respond to discovery. Additionally, both parties agree that an extension of all deadlines enumerated
14 above would not prejudice either party and would permit both parties an opportunity to fully
15 complete discovery for class certification and file meaningful motions and responses regarding class
16 certification.

17 **THE PARTIES STIPULATE AND SEEK AN ORDER THAT:**

18 Pursuant to Federal Rules of Civil Procedure § 16(b)(4), with good cause shown and with
19 the judge's consent, all parties to this action jointly request that the Court permit the parties to extend
20 the deadlines for class certification as follows:

- 21 1. An August 13, 2010 discovery cutoff for class certification;
- 22 2. An August 27, 2010 deadline to file and serve moving papers on class certification;
- 23 3. A September 10, 2010 deadline to file and serve opposition papers on class
24 certification;
- 25 4. A September 24, 2010 deadline to file and serve reply papers on class certification;
- 26 and
- 27 5. A hearing on October 8, 2010 at 9:30 a.m. in Department 10 (GSA) on the motion
28 on class certification.

1 **IT IS SO STIPULATED.**

2
3 **DATED:** July 15, 2010

**CALIFORNIA RURAL LEGAL ASSISTANCE
INC.**

4
5 By: _____ / s /
 Esmeralda Zendejas
 Attorney for Plaintiff Felipe Nuñez Torres

6
7
8 **DATED:** July 15, 2010

**CALIFORNIA RURAL LEGAL ASSISTANCE
FOUNDATION**

9
10 By: _____ / s /
 Erin Hernandez (signature authorized)
 Attorney for all Plaintiffs

11
12
13 **DATED:** July 15, 2010

**THE SAQUI LAW GROUP
Counselors to Management**

14
15 By: _____ / s /
 Andrew H. Lee (signature authorized)
 Michael C. Saqui
 Attorneys for Silveira Dairy

16
17
18 **ORDER**

19 Through good cause shown pursuant to Federal Rules of Civil Procedure § 16(b)(4), and with
20 this Court’s consent, the parties joint stipulation and order to extend deadlines of the Preliminary
21 Scheduling and Discovery order is granted.

22
23 **IT IS SO ORDERED.**

24 **Dated: July 15, 2010**

 _____/s/ **Gary S. Austin**
 UNITED STATES MAGISTRATE JUDGE