

1 ESMERALDA ZENDEJAS, # 258809
 2 BLANCA A. BAÑUELOS, # 231585
 3 CALIFORNIA RURAL LEGAL ASSISTANCE, INC.
 20 N. Sutter Street, Suite 203
 4 Stockton, CA 95202
 Telephone: (209) 946-0609
 Facsimile: (209) 946-5730

5 MICHAEL MEUTER, # 161554
 6 CALIFORNIA RURAL LEGAL ASSISTANCE, INC.
 3 Williams Road
 Salinas, CA 93905
 7 Telephone: (831) 757-5221
 Facsimile: (831) 757-6212

8 Attorneys for Plaintiff Felipe Nuñez Torres

9 JULIA L. MONTGOMERY, # 184083
 10 CALIFORNIA RURAL LEGAL ASSISTANCE FOUNDATION
 2210 K Street, Suite 201
 11 Sacramento, CA 95816
 Telephone: (916) 446-7904 ext. 17 and 20
 12 Facsimile: (916) 446-3057

13 Attorneys for all Plaintiffs

14 **UNITED STATES DISTRICT COURT**
 15 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

16 ANTONIO MARTÍNEZ, and FELIPE
 17 NUÑEZ TORRES,

18 Plaintiffs,

19 v.

20 JOSE GILBERTO SILVEIRA, an
 21 individual; and DOES ONE through
 TWENTY inclusive

22 Defendants.

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

**STIPULATION AND ORDER TO
 EXTEND OPT-IN PERIOD**

23
 24 Whereas:

25 1. The opt-in period agreed upon by all parties in their Stipulation Outlining
 26 Notification to Potential FLSA Collective Action Members and Order dated September 27, 2010
 27 expires on January 10, 2011;

28 ///

1 2. Defendant did not have last known permanent addresses for all but two or three of
2 the workers eligible to opt-in to the lawsuit creating more difficulty in communicating with potential
3 opt-ins;

4 3. The opt-in period overlapped with the holiday season in which individuals are
5 usually traveling out of their home area during that time;

6 3. Due to the holiday season, workers eligible to opt-in to the lawsuit may have been
7 unavailable or otherwise unable to opt-in in a timely manner;

8 4. As a result, Plaintiff's counsel will need to continue to advertise the lawsuit to
9 eligible workers to provide them with reasonable notice and opportunity to opt-in;

10 5. It is in the interest of justice that all individuals with claims against Defendant arising
11 from the facts alleged in this complaint, have those claims resolved in one action.

12 Therefore,

13 It is hereby stipulated by and between Plaintiffs, Antonio Martínez and Felipe Nuñez Torres,
14 and Defendant Jose Gilberto Silveira, et al., through their counsel of record, that the opt-in period
15 for persons who wish to participate in the instant action shall be extended for a period of 17 days,
16 through and including January 27, 2011.

17
18 DATED: January 10, 2011

CALIFORNIA RURAL LEGAL ASSISTANCE INC.

19
20 By: /s/ Esmeralda Zendejas
Esmeralda Zendejas
Attorney for Plaintiff Felipe Nuñez Torres

21
22 DATED: January 11, 2011

**CALIFORNIA RURAL LEGAL ASSISTANCE
FOUNDATION**

23
24
25 By: /s/ Julie Montgomery (As authorized on 1/11/2011
Julie Montgomery
Attorney for all Plaintiffs

26
27 ///
28 ///

1 DATED: January 10, 2011

THE SAQUI LAW GROUP
Counselors to Management

2
3
4 By: /s/ Michael C. Saqui (As authorized on 1/10/2011)
5 Michael C. Saqui
6 Attorneys for Silveira Dairy

7
8 **ORDER**

9 Pursuant to stipulation entered into between all parties, through their counsel of record, and
10 good cause showing:

11 IT IS HEREBY ORDERED that the opt-in period for persons who wish to participate in the
12 instant action shall be extended for a period of 17 days, through and including January 27, 2011.
13
14
15
16
17
18

19 IT IS SO ORDERED.

20 Dated: January 12, 2011

/s/ Gary S. Austin
21 UNITED STATES MAGISTRATE JUDGE
22
23
24
25
26
27
28