

1 Anna Y. Park, SBN164242
Michael Farrell, SBN 266553
Peter F. Laura, SBN 116436
2 Rumduol Vuong, SBN 264392
3 U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
255 E. Temple St., 4th Floor
4 Los Angeles, CA. 90012
Telephone: (213) 894-1076
5 Facsimile: (213) 894-1301
E Mail: lado.legal@eeoc.gov
6

7 Attorneys for Plaintiff
U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
8

9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**

11 U.S. EQUAL EMPLOYMENT
12 OPPORTUNITY COMMISSION,
13 Plaintiff,

14
15 DOUGLAS ABDON ET AL.,
16
17 Plaintiffs-In-Intervention,

18 v.

19
20 CENTRAL CALIFORNIA
21 FOUNDATION FOR HEALTH d/b/a
22 DELANO REGIONAL MEDICAL
23 CENTER ET AL.,
24 Defendants.

) Case No. 1:10-CV-01492- LJO-JLT

) **STIPULATION FOR EXTENSION**
) **OF TIME TO CONTINUE THE**
) **DUE DATE FOR LODGING THE**
) **CONSENT DECREE**
) **CONCLUDING THIS ACTION;**
) **AND ORDER (Court revised text)**

) **[FIRST REQUEST FOR**
) **EXTENSION OF DUE DATE FOR**
) **LODGING CONSENT DECREE]**

25
26 Pursuant to *Fed. R. Civ. P. 6* and *L.R. 144*, the Parties in this action, Plaintiff
27 United States Equal Employment Opportunity Commission, Plaintiffs-in-
28 Intervention Douglas Abdon et al., and Defendants Central California Foundation
for Health d/b/a Delano Regional Medical Center and Delano Health Associates,

1 hereby submit this stipulation for a forty-five (45) day extension of the current
2 Court deadline for the Parties to lodge the Consent Decree concluding this action
3 in its entirety. Specifically, the Parties seek an extension of the current deadline
4 from July 23, 2012 to September 6, 2012. As explained herein, this stipulation is
5 submitted for good cause. This is the Parties' first request for an extension of the
6 deadline to submit the Consent Decree concluding this action.

7 As a result of the Parties' efforts during a formal mediation conference held
8 on June 21, 2012, the Parties reached resolution regarding the claims for monetary
9 relief in this action. That agreement was contingent upon agreement to all of the
10 terms of a Consent Decree, including agreement regarding the claims for injunctive
11 relief in the action. Pursuant to *L.R.* 160(a), the Parties immediately provided
12 notice to the Court that they had reached a settlement in principle. (Docket No. 81)
13 The Court then established a deadline of July 23, 2012 for the parties to file "the
14 appropriate papers to ... conclude this action in its entirety." (Docket No. 82). In
15 this case, all claims for relief will be resolved in their entirety by the lodging of a
16 Consent Decree.

17 During the weeks following mediation, the Parties have been diligently
18 working to resolve all of the outstanding issues of the Consent Decree and finalize
19 that document. However, due to the complexity of the issues involved, the fact
20 that there are three different Parties with distinct interests in this case, the large
21 number of Claimants in this case, and the upcoming summer vacation schedules of
22 various counsel involved, the Parties require additional time to complete
23 negotiations regarding the terms of the Consent Decree.

24 The issues that are currently being negotiated are complex as they involve
25 specific provisions for the implementation of company-wide employment policies
26 and practices over a three-year time frame. Moreover, the fact that there are three
27 separate Parties to the action, each with different legal teams representing well
28 over 60 individuals with an interest in the outcome, has further complicated
negotiations. In addition, certain counsel of record with settlement authority in this

1 action have upcoming pre-planned vacations including Anna Park, Regional
2 Attorney for the EEOC, who will be on a pre-paid vacation from August 12 to
3 August 25, 2012, and Laboni Hoq, Litigation Director for APALC, who will be on
4 a pre-paid vacation from July 23 to August 7, 2012. Although the Parties will be
5 prepared to continue negotiations in their absence, these pre-scheduled plans may
6 necessitate some additional time to finalize and execute the Consent Decree.

7 Based on the foregoing, the EEOC, the Plaintiffs-in-Intervention and
8 Defendants request an extension of time of forty-five (45) days, through to
9 September 6, 2012, to lodge the Consent Decree concluding this action in its
10 entirety. The requested extension is made in good faith by all Parties and will not
11 result in any undue delay or prejudice to any Party.

12
13
14 Respectfully submitted,

15
16 Dated: July 19, 2012

17 U.S. EQUAL EMPLOYMENT
18 OPPORTUNITY COMMISSION

19 By: /s/ Peter F. Laura
20 Peter F. Laura

21 Attorneys for Plaintiff EEOC

22 ASIAN PACIFIC AMERICAN LEGAL
23 CENTER

24
25 Date: July 19, 2012

26 By: /s/ Justin Ma

27 Justin Ma

28 Attorneys for Plaintiff Intervenors

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: July 19, 2012

CLIFFORD & BROWN

By: /s/ Robert D. Harding

Robert D. Harding

Attorneys for Defendants

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

The parties seek to extend the July 23, 2012 deadline to file papers to conclude this action in its entirety. The parties' papers reflect that they have not maximized their time to date to complete settlement. In light of upcoming vacations of counsel, this Court GRANTS a one-time extension to September 14, 2012 to file papers to conclude this action in its entirety. This Court will grant a further extension only if necessary to prevent manifest injustice.

IT IS SO ORDERED.

Dated: July 19, 2012

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE