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8 PRODUCTEX, INC. and DR. LEOPOLD
9 WIERZBICKI

10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA

11 NATIONAL LABOR RELATIONS
12 BOARD,

13 Applicant,

14 v.

15 CROWN NATURAL FOODS; BIO-
16 PRODUCTEX, INC. and DR. LEOPOLD
17 WIERZBICKI,

18 Respondents.

Case No. 1:10mc0015 DLB

**JOINT STIPULATION TO EXTEND THE
HEARING DATE AND BRIEFING
SCHEDULE ON PLAINTIFF'S ORDER
REQUIRING OBEDIENCE TO
SUBPOENAS *DUCES TECUM* AND
SUBPOENAS *AD TESTIFICANDUM***

19 IT IS HEREBY STIPULATED by and between Applicant THE NATIONAL LABOR
20 RELATIONS BOARD, by and through its attorneys of record and Respondents CROWN
21 NATURAL FOODS, BIO-PRODUCTEX, INC. and DR. LEOPOLD WIERZBICKI, by and
22 through their attorneys of record, McCormick, Barstow, Sheppard, Wayte & Carruth, as follows:

23 1. That the July 2, 2010 hearing date presently scheduled with the Court on the
24 Application to Require Obedience be continued for approximately 60 days and rescheduled for
25 September 10, 2010.

26 2. That the briefing schedule be extended to coincide with the September 10, 2010
27 hearing date so that Respondent's Answer is due on or before August 27, 2010 and Applicant's
28 Reply, if any, is due on or before September 3, 2010.

1 3. The parties have jointly stipulated to the continuance described above and
2 respectfully request that the Court issue an Order granting said continuance for the following
3 reasons:

4 Applicant has issued a total of six subpoenas and sought intervention by the District Court
5 through an Application for Order Requiring Obedience to Subpoenas filed on or about March 23,
6 2010. The Court issued an Order to Show Cause on March 31, 2010, requiring Respondents' to
7 file an Answer by April 23, 2010, and setting the hearing for May 14, 2010. Several extensions
8 have been granted while the parties attempt to meet and confer regarding certain objections
9 Respondents have to the subpoenas, as well as, coordinate a suitable schedule for testimony of the
10 Respondent WIERZBICKI to be taken pursuant to the subpoenas *ad testificandum*.

11 The parties have reached a resolution and the relevant documents and testimony will be
12 provided. If both parties uphold their side of the agreements, the instant hearing on the
13 Application for Order Requiring Obedience to Subpoenas will be moot.

14 It is hereby stipulated and agreed, as stated above, that the currently scheduled date for the
15 hearing on Application for Order Requiring Obedience to Subpoenas on July 2, 2010 is vacated
16 and continued until September 10, 2010 at 9:00 a.m., in the above-entitled Court.
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Dated: June 18, 2010

By: /s/ Catherine Ventola
Catherine Ventola
NATIONAL LABOR RELATIONS
BOARD

Dated: June 18, 2010

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

By: /s/ Anthony Raimondo
Anthony Raimondo
Attorneys for Defendant
CROWN NATURAL FOODS;
CALIFORNIA BIO-PRODUCTEX, INC.;
DR. LEOPOLD WIERZBICKI

IT IS SO ORDERED.

Dated: **June 22, 2010**

 /s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE