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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

18 U.S. EQUAL EMPLOYMENT) Case No.: 1:11-CV-1658 LJO SAB
19 OPPORTUNITY COMMISSION,)
20 Plaintiff,) **UPDATED STIPULATION TO EXTEND
21 vs.) DISCOVERY AND DISPOSITIVE
22 HOSPITAL HOUSKEEPING SYSTEMS,) MOTION DEADLINES**
23 LTD., HOSPITAL HOUSEKEEPING)
24 SYSTEMS OF HOUSTON, INC,)
25 HOSPITAL HOUSEKEEPING SYSTEMS,)
26 INC., HOSPITAL HOUSKEEPING)
27 SYSTEMS, LLC, AND DOES 1-10,)
28 INCLUSIVE,)
Defendant(s).)

STIPULATION

Plaintiff United States Equal Employment Opportunity Commission (“EEOC” or “Plaintiff”) and Defendants Hospital Housekeeping Systems Ltd., Hospital Housekeeping Systems of Houston, Inc., Hospital Housekeeping Systems Inc., and Hospital Housekeeping Systems, LLC (“Defendants”), through their respective counsel of record herein, hereby respectfully request a short continuance of the non-expert discovery cutoff date, deadline to file dispositive motions, and deadline by which dispositive motions shall be heard, for all of the following reasons:

1. The current upcoming trial and discovery deadlines are as follows: (a) **deadline for dispositive motions to be filed – February 11, 2013**, (b) **non-expert discovery cutoff date – March 1, 2013**, (c) expert designation and report deadline – March 21, 2013, (d) **deadline for dispositive motions to be heard – March 28, 2013**, (d) rebuttal expert witness designation and report deadline – April 21, 2013, (e) pretrial conference – May 21, 2013, and (f) trial – July 9, 2013.
2. The parties have dutifully engaged in factual discovery during the pendency of this litigation, including exchanging initial disclosures, preparing and responding to three sets of written discovery requests, and taking the principal factual witness depositions. The last deposition was taken on January 10, 2013 in Los Angeles by Plaintiff's counsel. The deponent, William Crowell, was the manager who terminated Charging Party Angelica Jaime-Cece. Mr. Crowell agreed to travel to Los Angeles from Mississippi, where he currently resides, for his deposition. Due to work constraints, Mr. Crowell's pre-paid vacation in November 2012, and the availability of counsel, his deposition was not able to be scheduled until January 10, 2013.
3. Since Mr. Crowell's deposition, which signaled the end of principal factual discovery in this case, counsel for the parties have been engaged in active settlement discussions and last met on Monday, February 4, 2013 in Los Angeles to discuss settlement.

1 4. Counsel for the parties made great headway during the settlement meeting and agree that
2 there is a good chance the case will settle. However, the parties anticipate that it will take
3 at least two weeks to confirm and evaluate whether an agreement may be reached on the
4 monetary and injunctive relief.

5 5. In the meantime, if the parties are unable to settle the case, Defendants plan to file a
6 motion for summary judgment and the deadline by which they must file their motion for
7 summary judgment is Monday, February 11, 2013.

8 6. Because the parties are close to settling this case, and because Defendants' ability to
9 settle the case will be hampered if they are forced to spend money preparing and filing a
10 motion for summary judgment – money that could be applied towards settlement - the
11 parties respectfully request that the deadline to file dispositive motions be extended to
12 March 11, 2013, and the deadline by which dispositive motions shall be heard be
13 extended to April 25, 2013. These dates will not interfere with the Court's pretrial
14 conference date (May 21, 2013) or the trial date (July 9, 2013).

15 7. The parties further request that the non-expert discovery cutoff be extended by 28 days to
16 March 28, 2013 so that the parties can concentrate on settlement discussions, and avoid
17 the expense of completing the last round of written discovery and two remaining factual
18 depositions if a settlement can be reached.

19 8. The parties have only submitted one previous request to extend the deadlines in this case
20 and the request related to non-expert discovery and the expert designation deadlines. The
21 request did not request extending the dispositive motion deadline.

22 9. Counsel for the parties are willing to engage in a telephone conference with the Court
23 should further information be required or requested.

24 **WHEREFORE**, Plaintiff and Defendants request a continuance of the non-expert
25 discovery cutoff date to March 28, 2013, a continuance of the deadline to file dispositive motions
26 to March 11, 2013, and a continuance of the deadline by which dispositive motions shall be
27 heard to April 25, 2013.

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1 IT IS SO STIPULATED.
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U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

5 Date: February 6, 2013
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By: /s/ Rumie Vuong
8 Rumie Vuong
9 Attorney for Plaintiff U.S. EQUAL
10 EMPLOYMENT OPPORTUNITY
11 COMMISSION

12 FULBRIGHT & JAWORSKI L.L.P.
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15 Date: February 6, 2013
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18 By: /s/ Julie Capell
19 Julie M. Capell
20 Attorney for Defendant Hospital Housekeeping
21 Systems Ltd., Hospital Housekeeping Systems of
22 Houston, Inc., Hospital Housekeeping Systems Inc.,
23 and Hospital Housekeeping Systems, LLC
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ORDER

For good cause shown, the stipulation to extend discovery deadlines is hereby approved and the new deadlines for discovery as set forth in the Scheduling Order shall be amended as follows:

The parties are ordered to complete all non-expert discovery on or before March 25, 2013.

The parties are ordered to file dispositive motions on or before March 11, 2013. Such dispositive motions shall be heard on **April 11, 2013 at 8:30 a.m.** before United States District Judge Lawrence J. O'Neill.

All other provisions of the Scheduling Conference Order shall otherwise remain in effect.

IT IS SO ORDERED.

Dated: **February 7, 2013**

/s/ Stanley A. Boone
UNITED STATES MAGISTRATE JUDGE