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13 (Appearances for Additional Counsel on Next Page)

14 UNITED STATES DISTRICT COURT

15 EASTERN DISTRICT OF CALIFORNIA

16 FRESNO DIVISION

17 CARLOS SILVEIRA, GEORGETTE
18 PICKETT, and CHARLES HUGHES, as
19 individuals, and on behalf of all others similarly
20 situated,

21 Plaintiffs,

22 vs.

23 JEFFREY A. BEARD, in his capacity as the
24 Secretary of the California Department of
25 Corrections and Rehabilitation; and DOES 2
26 through 10, inclusive,

27 Defendants.

Case No. 1:13-CV-00084-AWI-BAM

**STIPULATION AND JOINT REQUEST
TO CONTINUE MANDATORY
SCHEDULING CONFERENCE; ORDER**

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1 Whereas, the Court has set the Mandatory Scheduling Conference for September 16, 2013;

2 Whereas, counsel for Plaintiffs and Defendant (collectively, the "Parties") have been engaged in
3 informal meet and confer discussions regarding potentially resolving this case, including without
4 limitation, informally exchanging discovery;

5 Whereas, at this stage of the litigation, the Parties are optimistic that continuing with informal
6 exchange of discovery will more efficiently resolve open issues related to this matter;

7 Whereas, Rule 26 of the Federal Rules of Civil Procedure require the Parties to confer over a
8 proposed discovery plan by August 27, 2013, submit a discovery plan 14 days afterwards, and make
9 initial disclosures by September 9, 2013;

10 Whereas, the Parties agree that continuing the Mandatory Scheduling Conference and related
11 deadlines will facilitate a potential resolution of this action and conserve the resources of the Court and
12 the Parties;

13 Accordingly, the Parties to this action, through their respective attorneys of record, hereby
14 STIPULATE and JOINTLY REQUEST this Court continue the Mandatory Scheduling Conference, and
15 related deadlines to meet and confer and submit a Joint Scheduling Report and discovery plan, and
16 deadline to provide initial disclosures, for sixty (63) days, or November 18, 2013, or to a date and time
17 thereafter that is convenient for the Court.

18 Dated: August 13, 2013

Respectfully submitted,

19
20 JOAN A. MARKOFF
Chief Counsel

21 DAVID J. NEILL
22 Deputy Chief Counsel

23 By: /s/ David D. King
24 DAVID D. KING,
25 Labor Relations Counsel
26 Attorney for Defendant
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Dated: August 13, 2013

Respectfully submitted,

By: /s/ Majed Dakak
MAJED DAKAK
Attorney for Plaintiffs

1 **ORDER**

2 In consideration of the Parties' Stipulation and Joint Request to Continue the Mandatory
3 Scheduling Conference, and related deadlines, and good cause having been shown, it is ORDERED that
4 the Mandatory Scheduling Conference, currently set for September 16, 2013, shall be continued to
5 November 18, 2013, at 9:00 AM in Courtroom 8 before United States Magistrate Judge Barbara A.
6 McAuliffe. Related deadlines to meet and confer and submit a Joint Scheduling Report, to provide
7 initial disclosures, and to meet and confer and provide a written discovery plan under Rule 26 of the
8 Federal Rules of Civil Procedure, are similarly continued.

9 IT IS SO ORDERED.

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11 Dated: August 13, 2013

/s/ Barbara A. McAuliffe
12 UNITED STATES MAGISTRATE JUDGE
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