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10 HARRIS FARMS, INC.

11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE EASTERN DISTRICT OF CALIFORNIA
13 FRESNO DIVISION

14 JOSE GONZALEZ, on behalf of himself and
15 all others similarly situated,

16 Plaintiff,

17 vs.

18 HARRIS RANCH BEEF COMPANY, a
19 California corporation; HARRIS RANCH
20 BEEF HOLDING COMPANY, a California
21 corporation; HARRIS FARMS, INC., a
22 California corporation; and DOES 2
23 through 10, inclusive.

24 Defendants.

) Case No. 1:14-cv-00038-LJO-SAB
)
)
)

) **STIPULATION AND [PROPOSED] ORDER**
) **FOR DEFENDANT HARRIS FARMS, INC.**
) **TO FILE CROSS-COMPLAINT**

) Complaint Filed: December 4, 2013
)
)

25 Defendant Harris Farms, Inc. and Plaintiff Jose Gonzalez, by and through their
26 respective undersigned counsel, hereby enter into the following stipulation and request
27 the Court to enter an order in conformance therewith.

28 WHEREAS, Plaintiff filed its Complaint against Harris Ranch Beef Company and
Harris Ranch Beef Holding Company on December 4, 2013. Harris Ranch Beef Company
and Harris Ranch Beef Holding Company filed its Answer on January 10, 2014;

1 WHEREAS, a Stipulation and Order to Substitute in Harris Farms, Inc. as Doe 1 and
2 to Dismiss Defendants Harris Ranch Beef Company and Harris Ranch Beef Holding
3 Company Without Prejudice was filed February 11, 2014;

4 WHEREAS, Harris Farms, Inc. believes Springer-Miller Systems, Inc. is an integral
5 party to Plaintiff's Complaint and desires to file a Cross-Complaint for indemnity and
6 contribution against Springer-Miller Systems, Inc.;

7 WHEREAS, this matter's first Scheduling Conference took place on March 25, 2014,
8 and discovery has not yet begun;

9 WHEREAS, there is a liberal standard for granting leave to file cross-complaints,
10 and to avoid the time, expense, and judicial resources that would be incurred in
11 connection with a motion for leave to file Harris Farms, Inc.'s Cross-Complaint, Plaintiff
12 and Harris Farms, Inc. are entering into this stipulation allowing Harris Farms, Inc. to file
13 its proposed Cross-Complaint.

14 NOW, THEREFORE, IT IS HEREBY STIPULATED THAT:

15 1. Harris Farms, Inc. may file the proposed Cross-Complaint attached hereto
16 as Exhibit A without seeking leave to file via a formal, noticed motion to the Court;

17 2. Subject to and upon the Court's approval and entry of this Stipulation and
18 Order, Harris Farms, Inc. shall file its Cross-Complaint against Springer-Miller Systems, Inc.
19 within fifteen (15) days of the Court's entry; and

20 IT IS SO STIPULATED.

21
22 Dated: May 23, 2014

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LAW CORPORATION

23
24 /s/ Alden J. Parker
25 By: _____
26 Alden J. Parker

27 Attorneys for Defendant,
28 HARRIS FARMS, INC.

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Dated: May 23, 2014

GAINES & GAINES, APLC

/s/ Alex P. Katofsky

By: _____

Alex P. Katofsky

Attorneys for Plaintiff,
JOSE GONZALEZ

ORDER

Based on the Stipulation of the Parties, it is ORDERED that Harris Farms, Inc. shall file its cross-complaint against Springer-Miller Systems, Inc. within fifteen (15) days from the date of service of this order.

IT IS SO ORDERED.

Dated: May 30, 2014



UNITED STATES MAGISTRATE JUDGE