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16 UNITED STATES DISTRICT COURT

17 FOR THE EASTERN DISTRICT OF CALIFORNIA

18 ELIAZAR SANCHEZ, on behalf of himself
and all others similarly situated,

19 Plaintiff,

20 v.

21 FRITO-LAY, INC.; and DOES 1 to 100,
22 inclusive,

23 Defendants.
24

Case No. 1:14-CV-00797-DAD-MJS

Class Action

**STIPULATION AND ORDER TO
CONTINUE TRIAL DATE AND ALL
RELATED PRE-TRIAL DATES**

Before the Hon. Judge Dale A. Drozd

Trial Date: June 21, 2016

Complaint Filed: April 11, 2014
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1 Plaintiff Eliazar Sanchez and Defendant Frito-Lay, Inc. (collectively the "Parties"),
2 hereby stipulate and agree as follows:

3
4 **WHEREAS**, the Court on September 3, 2014, filed its Scheduling Order setting
5 the following dates:

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7 **Discovery Deadlines:**

8 Non-Expert: May 29, 2015

9 Expert: October 30, 2015

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11 **Expert Disclosure Deadlines:**

12 Filing: August 21, 2015

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14 **Motion Deadlines:**

15 Filing: November 9, 2015

16
17 **Dispositive:**

18 Filing: January 21, 2016

19 Hearing: March 7, 2016 at 1:30 p.m.

20
21 **Pretrial Conference:**

22 April 27, 2016 at 8:30 a.m.

23
24 **Jury Trial:**

25 June 21, 2016 at 8:30 a.m.

1 **WHEREAS**, on January 30, 2015, the Parties came before Magistrate Judge
2 Michael J. Seng on Plaintiff’s Motion for Order Granting Preliminary Approval of Class Action
3 Settlement;

4 **WHEREAS**, on March 6, 2015, pursuant to Judge Seng’s request at the hearing,
5 Plaintiff submitted additional briefing to the Court.

6 **WHEREAS**, on August 5, 2015, Judge Seng issued an order finding and
7 recommending that Plaintiff’s Motion be denied without prejudice;

8 **WHEREAS**, on August 26, 2015, District Judge Anthony W. Ishii issued an order
9 adopting Judge Seng’s findings and recommendations in full and denying Plaintiff’s Motion
10 without prejudice;

11 **WHEREAS**, on December 4, 2015, this case was reassigned to District Judge
12 Dale A. Drozd for all further proceedings;

13 **WHEREAS**, on January 14, 2016, Plaintiff re-submitted his Motion for Order
14 Granting Preliminary Approval of Class Action Settlement;

15 **WHEREAS**, on February 16, 2016, the Parties came before Judge Drozd for
16 hearing on Plaintiff’s resubmitted Motion;

17 **WHEREAS**, Judge Drozd ordered that Plaintiff file a revised settlement
18 agreement and supplemental briefing, and continued the hearing to April 5, 2016 at 9:30 a.m.;

19 **WHEREAS**, the Parties have been diligently working to resolve the case without
20 the need to engage in further litigation;

21 **WHEREAS**, the Parties believe they will be able to provide the Court with
22 sufficient information to address its questions remaining on the settlement of this matter, and
23 therefore the upcoming hearing and trial dates on this matter may become moot;

24 **WHEREAS**, the Parties request a short extension of the trial date and all
25 remaining dates and deadlines for a period of approximately six (6) months. This is the Parties’
26 first request for a continuation of these dates.

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1 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED BY**
2 **AND BETWEEN THE PARTIES THAT, SUBJECT TO THE COURT’S APPROVAL,** the
3 Court may continue the trial date and all remaining dates and deadlines for a period of six months.
4 A proposed order is filed concurrently herewith.

5
6 Dated: February 25, 2016

7 BISNAR|CHASE, LLP

8
9 By /s/ Jerusalem F. Beligan

10 BRIAN D. CHASE
 JERUSALEM F. BELIGAN

11 Attorneys for Plaintiff
12 ELIAZAR SANCHEZ

13 Dated: February 25, 2016

14 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

15
16 By /s/ Ashley T. Hirano

17 SAMANTHA D. HARDY
 ASHLEY T. HIRANO
 DANIEL F. DE LA CRUZ

18 Attorneys for Defendant
19 FRITO-LAY, INC.

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ORDER

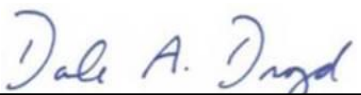
Finding that good cause exists, the trial date and pretrial conference dates and deadlines are continued for a period of six months.

The new Pretrial Conference date shall be November 7, 2016 at 3:30 p.m.

The new Jury Trial date shall be January 4, 2017 at 8:30 a.m.

IT IS SO ORDERED.

Dated: February 29, 2016


UNITED STATES DISTRICT JUDGE