

1 Shaun Setareh (SBN 204514)
 shaun@setarehlaw.com
 2 Thomas Segal (SBN 222791)
 thomas@setarehlaw.com
 3 **SETAREH LAW GROUP**
 4 9454 Wilshire Blvd, Suite 907
 Beverly Hills, California 90212
 5 T: (310) 888-7771 | F: (310) 888-0109

6 Attorneys for Plaintiff
 7 JUAN PATINO

8 HAYNES AND BOONE, LLP
 Tamara I. Devitt/Bar No. 209683
 tamara.devitt@haynesboone.com
 9 Kimberly A. Chase/Bar No. 253311
 kimberly.chase@haynesboone.com
 10 Matthew E. Costello/Bar No. 295062
 matthew.costello@haynesboone.com
 11 600 Anton Boulevard, Suite 700
 12 Costa Mesa, California 92626
 13 T: (949) 202-3000 | F: (949) 202-3001
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15 Attorneys for Defendants
 16 KVS TRANSPORTATION, INC. and NABORS DRILLING USA, LP

17 **UNITED STATES DISTRICT COURT**
 18 **EASTERN DISTRICT OF CALIFORNIA**

19 JUAN PATINO, on behalf of himself, all
 20 others similarly situated,

21 *Plaintiff,*

22 vs.

23 KVS TRANSPORTATION, INC., a
 24 California corporation; NABORS DRILLING
 USA, L.P., a Delaware corporation; and
 25 DOES 1-50,
 26 inclusive,

27 *Defendants.*
 28

) Case No. 1:15-CV-00713-TLN-SMS

)
) Assigned to U.S. District Judge
) Troy L. Nunley

) **JOINT STIPULATION AND ORDER TO**
) **CONTINUE DISCOVERY CUT-OFF**
) **DATE TO COMPLETE CURRENTLY**
) **NOTICED DEPOSITIONS AND FOR**
) **DISCLOSURE OF EXPERT**
) **WITNESSES**

) Complaint filed: May 8, 2015

1 Plaintiff Juan Patino (“Plaintiff”) and Defendants KVS Transportation, Inc. (“KVS”)
2 and Nabors Drilling USA, LP (collectively, the “Parties”), through their respective counsel,
3 hereby stipulate as follows:

4 WHEREAS, on July 28, 2015, the Court issued a Pretrial Scheduling Order governing
5 discovery and other pretrial proceedings (Dkt. No. 14) (“Order”) for this case;

6 WHEREAS, the Order bifurcates discovery into two phases, with Phase I discovery
7 limited to facts that are relevant to whether this action should be certified as a class action;

8 WHEREAS, pursuant to the Order, all Phase I discovery must be completed by the
9 Parties on or before January 29, 2016 and the Parties must disclose their respective expert
10 witnesses on or before February 29, 2016;

11 WHEREAS, on December 31, 2015, KVS noticed Plaintiff’s deposition for January 20,
12 2016;

13 WHEREAS, on January 8, 2016, Plaintiff served a Rule 30(b)(6) deposition notice on
14 KVS, with such deposition to be held on January 22, 2016;

15 WHEREAS, on January 12, 2016, Plaintiff’s counsel informed counsel for KVS that
16 Plaintiff was not available on the noticed date of January 20, 2016;

17 WHEREAS, on January 13, 2016, counsel for KVS informed Plaintiff’s counsel that
18 KVS’ Rule 30(b)(6) deponent and counsel for KVS were not available on the noticed date of
19 January 22, 2016, provided alternative dates for the Rule 30(b)(6) deposition and asked for
20 alternative dates for Plaintiff’s deposition, and suggested to Plaintiff’s counsel that Plaintiff’s
21 deposition and the Rule 30(b)(6) deposition be scheduled for the same day;

22 WHEREAS, the Parties are in the process of meeting and conferring in good faith to
23 schedule the currently noticed depositions of Plaintiff and KVS’ Rule 30(b)(6) deponent, with
24 the aim of completing these depositions by the end of February 2016, subject to witness and
25 counsel availability;

26 WHEREAS, the Parties agree that good cause exists to continue the Phase I discovery
27 cut-off date (i) to complete the currently noticed depositions of Plaintiff and KVS’ Rule
28

1 30(b)(6) deponent only, and (ii) to disclose expert witnesses, if any, which may be necessary
2 following the depositions of Plaintiff and KVS' Rule 30(b)(6) deponent;

3 WHEREAS, the Parties agree that continuing the Phase I discovery cut-off by 60 days to
4 complete the currently outstanding depositions of Plaintiff and KVS' Rule 30(b)(6) deponent
5 and to disclose expert witnesses would promote efficiency and judicial economy, as it will allow
6 the Parties to engage in necessary pre-certification discovery; and

7 WHEREAS, the Parties agree that neither party will be prejudiced by the requested
8 continuance.

9 NOW, THEREFORE, the Parties, by and through their counsel of record, hereby
10 stipulate, subject to this Court's approval, that the deadline to complete Phase I discovery,
11 currently set for January 29, 2016, shall be continued to March 29, 2016 for purposes of (i)
12 completing the currently noticed depositions of Plaintiff and KVS' Rule 30(b)(6) deponent, and
13 (ii) disclosing expert witnesses.

14 **IT IS SO STIPULATED.**

15 Date: February 1, 2016

SETARAH LAW GROUP

17 By: /s/ Shaun Setarah

Shaun Setarah

Attorneys for Plaintiff

JUAN PATINO

19 Date: February 1, 2016

HAYNES AND BOONE, LLP

21 By: /s/ Matthew E. Costello

Matthew E. Costello

Attorneys for Defendants

KVS TRANSPORTATION, INC. and

NABORS DRILLING USA, LP

(as authorized on January 27, 2016

per L.R. 131(e))

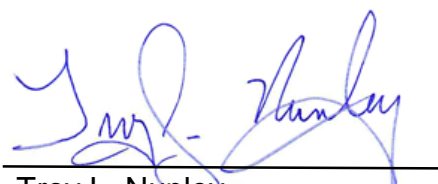
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ORDER

Pursuant to the Parties' stipulation, the deadline to complete Phase I discovery, currently set for January 29, 2016, shall be continued to March 29, 2016 for purposes of (i) completing the currently noticed depositions of Plaintiff and KVS' Rule 30(b)(6) deponent, and (ii) disclosing expert witnesses.

IT IS SO ORDERED.

Dated: February 1, 2016



Troy L. Nunley
United States District Judge