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5 Attorneys for Plaintiffs

6 **UNITED STATES DISTRICT COURT**  
 7 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

8 ANTHONY PORRECA, an individual, BREAD  
 RAXX, INC., a business entity, DAVID  
 9 AGUERO, an individual, AGUERO, INC., a  
 business entity, CHRISTIAN ANGULO, an  
 10 individual, CHRIS ANGULO INC., a business  
 entity, GEREME BARRETT, an individual;  
 11 DONALD BODAN JR, an individual, POMPEII  
 DISTRIBUTION INC., a business entity,  
 12 CHRISTIAN CABICO, an individual; C.I.  
 CABICO, INC., a business entity; DENNIS F.  
 13 CEKLOVSKY, II, an individual; DFC  
 DISTRIBUTING COMPANY, INC., a business  
 14 entity; ARTURO GONZALEZ, an individual,  
 GONZALEZ AND SON INC., a business entity,  
 15 CARLOS GONZALEZ, an individual; CCGE,  
 INC., a business entity; ERIC GUYTON, an  
 16 individual; TIM JACOBUS, an individual; SCOTT  
 MEDEIROS, an individual; SM DISTRIBUTING,  
 17 INC., a business entity; KHANG NGUYEN, an  
 individual; DAVID PADIA, an individual, THEE  
 18 BAKERY CORP., a business entity, NAZAL  
 PARVIN, an individual, PARVIN, INC., a  
 19 business entity, NICHOLAS SANCHEZ, an  
 individual, SANCHEZ DISTRIBUTING, INC., a  
 20 business entity, KEVIN SENA, an individual; K.  
 SENA DISTRIBUTION, INC., a business entity;  
 21 WOON TAM, an individual, T&J  
 DISTRIBUTION, INC., a business entity,

Case No.: 1:15-cv-0000732-DAD-MJS

**JOINT STIPULATION TO CONTINUE  
 INITIAL SCHEDULING  
 CONFERENCE AND SUBMISSION OF  
 JOINT SCHEDULING REPORT AND  
 ORDER**

22 Plaintiff(s),

23 v.

24 FLOWERS BAKING CO. OF CALIFORNIA,  
 LLC, a limited liability company; and Does 1  
 25 through 100, inclusive,

26 Defendants.

1 This stipulation is entered into by and between Plaintiffs, on the one hand, and Defendant  
2 Flowers Baking Company of California LLC (“Defendant”), on the other hand, by and through  
3 their undersigned counsel of record, with reference to the following facts and recitals:

4 WHEREAS, on October 4, 2016, this Court issued an Order setting an Initial Scheduling  
5 Conference for November 4, 2016 at 2:30 p.m. (Dkt. No. 67) and requiring that the parties file a  
6 Joint Scheduling Report by no later than October 28, 2016;

7 WHEREAS, Counsel for Plaintiff is unavoidably unavailable to attend the Initial  
8 Scheduling Conference by phone or otherwise based on a scheduling conflict that existed prior to  
9 the issuance of the October 4, 2016 Order;

10 WHEREAS, the Parties stipulate and agree that a brief continuance of the Initial  
11 Scheduling Conference for two weeks, until November 18, 2016, or as soon thereafter as the  
12 Court’s schedule permits, is necessary so that Plaintiff’s lead trial counsel can be available to  
13 participate in the Initial Scheduling Conference;

14 WHEREAS, the stipulated continuance will not alter the date of any events or additional  
15 deadline already fixed by Court order.

16 It is therefore STIPULTED AND AGREED, by and between the undersigned  
17 counsel and pursuant to Civil Local Rule 144, that the Initial Scheduling Conference currently set  
18 for November 4, 2016 be continued to November 18, 2016, or as soon thereafter as permitted by  
19 the Court’s schedule. The Parties will submit a Joint Scheduling Report by no later than one  
20 week prior to the date of the continued Initial Scheduling Conference.

21  
22 DATED: October 21, 2016

MELLEN LAW FIRM

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25 By: /s/ Sarah Shapero  
26 Matthew Mellen  
27 Sarah Shapero  
28 Attorneys for Plaintiffs

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DATED: October 21, 2016

OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.

By: /s/ Brian Berry  
Brian Berry  
Jared Palmer  
Attorneys for Defendant

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**ORDER**

**PURSUANT TO STIPULATION,**

The Initial Scheduling Conference currently set for November 4, 2016 in Case No.: 1:15-cv-0000732-DAD-MJS is continued to December 1, 2016 at 10:00 a.m. Parties may appear telephonically. Telephonic conferences are joined by calling: (888)204-5984 and entering code 4446176. Please email the Courtroom deputy to indicate if you will be appearing by telephone @ mjsorders@caed.uscourts.gov. A *Joint* Scheduling Report shall be electronically filed in CM/ECF one (1) full week prior to the Scheduling Conference and be e-mailed, in Word format, to [mjsorders@caed.uscourts.gov](mailto:mjsorders@caed.uscourts.gov).

IT IS SO ORDERED.

Dated: October 26, 2016

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE