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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**  
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11 STEPHEN HALE and O'BRIAN RANGEL  
Individually, on Behalf of Themselves, and All  
12 Others Similarly Situated,

13 Plaintiffs,

14 v.

15 ENSIGN UNITED STATES DRILLING  
16 (CALIFORNIA) INC., ENSIGN ENERGY  
SERVICES, INC., and ENSIGN UNITED  
17 STATES DRILLING, INC.,

18 Defendants.

Case No. 1:15-cv-01042-JLT

STIPULATION AND PROPOSED  
ORDER TO CONTINUE INITIAL  
SCHEDULING CONFERENCE AND  
EXTEND TIME FOR DEFENDANT TO  
RESPOND TO DISCOVERY;  
19 ~~PROPOSED~~ ORDER

(Doc. 26)

20 This Stipulation is made by and between Plaintiffs STEPHEN HALE and O'BRIAN  
21 RANGEL ("Plaintiffs") and Defendants ENSIGN UNITED STATES DRILLING  
22 (CALIFORNIA), INC., ENSIGN ENERGY SERVICES, INC., and ENSIGN UNITED STATES  
23 DRILLING, INC. (collectively "Defendants"), through their attorneys of record in this case, with  
24 reference to the following facts:

25 1. On July 7, 2015, Plaintiffs filed this putative class action alleging violations of the  
26 Worker Adjustment and Retraining Notification Act ("WARN Act"), codified at 29 U.S.C. §  
27 2101 *et seq.* and California Labor Code § 1400 *et seq.* ("Cal-WARN Act");

28 2. Defendants Ensign United States Drilling, Inc. and Ensign United States Drilling

STIPULATION AND ~~PROPOSED~~ ORDER TO  
CONTINUE INITIAL STATUS CONFERENCE

1 (California), Inc. answered the Complaint on September 2, 2015. Defendant Ensign Energy  
2 Services, Inc. answered the Complaint on September 10, 2015;

3 3. Counsel for the Parties participated in conference calls pursuant to Rule 26 on  
4 October 1, 2015 and October 7, 2015;

5 4. On January 14, 2016, Plaintiffs served Defendant Ensign United States Drilling  
6 (California), Inc. with Plaintiffs' First Request for Production of Documents, for which responses  
7 were due to be served to Plaintiffs on February 16, 2016;

8 5. On January 19, 2016, Counsel for the Parties participated in a third conference call  
9 to discuss the Parties' discovery plan and other matters to be covered in the joint status report;

10 6. On February 3, 2016, Plaintiffs provided Defendants with a draft Joint Status  
11 Report and the Parties participated in an additional conference call regarding a discovery plan and  
12 motions designed to identify significant issues in the case, as well as the possibility of dismissing  
13 Ensign Energy Services, Inc. from the Complaint;

14 7. On February 11, 2016, the Parties filed a Stipulation pursuant to Local Rule 6-  
15 144(a) of the United States District Court for the Eastern District of California to extend Ensign's  
16 time for responding to the Requests for Production until March 16, 2016 (Dkt. No. 22.);

17 8. On March 2, 2016, the Court set the Initial Scheduling Conference for March 30,  
18 2016 at 8:30 a.m. at 510 19<sup>th</sup> Street, Bakersfield, CA 93301 before Magistrate Judge Jennifer L.  
19 Thurston (Dkt. No. 25.);

20 9. On March 8, 2016, Defendants provided Plaintiffs with a revised draft Joint Status  
21 Report, which included a detailed summary of Defendants' proposed discovery plan and a  
22 spreadsheet setting forth a proposed, tiered schedule for producing currently identified documents  
23 responsive to Plaintiffs' Request for Production of Documents;

24 10. On March 9, 2016, the Parties met and conferred regarding (a) Defendants'  
25 revisions to Plaintiffs' draft Joint Status Report, which set forth Defendants' proposal to initially  
26 prioritize discovery to address issues raised in Defendants' anticipated Motion for Summary  
27 Judgment against each of the two named plaintiffs and Plaintiffs' anticipated certification motion;  
28 (b) the possibility of dismissing Ensign Energy Services, Inc. without prejudice; and (c) Ensign

1 United States Drilling (California), Inc.'s responses to Plaintiffs' Request for Production of  
2 Documents;

3 11. Defendants have agreed to provide Plaintiffs a copy of the draft Motion for  
4 Summary Judgment by March 16, 2016 so that the Parties can, if possible, negotiate a stipulated  
5 hearing schedule that permits sufficient time for Plaintiffs to conduct discovery concerning the  
6 relevant issues in the case;

7 12. The Parties have agreed to enter a stipulation dismissing Ensign Energy Services,  
8 Inc. from this action without prejudice subject to a tolling agreement and Plaintiffs' continued  
9 ability to conduct discovery related to this Defendant;

10 13. The Parties have agreed that they are making progress in narrowing the scope of  
11 differences between the Parties' respective positions related to discovery and would benefit from  
12 additional time to finalize the Joint Status Report and Proposed Discovery Plan;

13 14. No previous continuances or extensions of time to file a Joint Status Report have  
14 been sought by the Parties;

15 NOW THEREFORE, the Parties stipulate and jointly request that the Court continue the  
16 Initial Scheduling Conference until April 20, 2016, or as soon thereafter as the Court's calendar  
17 permits, and extend Ensign United States Drilling (California), Inc.'s deadline for responding to  
18 Requests for Production of Documents to the dates set forth in the Parties' Proposed Discovery  
19 Plan, if the Parties are able to agree upon a discovery schedule, or otherwise until April 29, 2016  
20 or such other date as set by the Court at the Initial Scheduling Conference.

21 IT IS SO STIPULATED.

22 Dated: March\_\_\_\_, 2016

Respectfully submitted,

23 KLEIN, DENATALE, GOLDNER  
24 COOPER, ROSENLIEB & KIMBALL, LLP

By:

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26 VANESSA FRANCO CHAVEZ  
27 Attorneys for Defendants  
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Dated: March\_\_\_\_\_, 2016

Respectfully submitted,  
LEVI & KORSINSKY, LLP

By:

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CHRISTOPHER J. KUPKA  
Attorneys for Plaintiffs STEPHEN HALE  
and O'BRIAN RANGEL

1 **ORDER**

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3 Based on the Stipulation to Continue the Initial Scheduling Conference and Extend time  
4 for Defendant to Respond to Discovery submitted by the parties, and good cause appearing, the  
5 Court hereby orders that:

- 6 1. The March 30, 2016 Initial Scheduling Conference, and all deadlines related  
7 thereto, are vacated.
- 8 2. The Initial Scheduling Conference is continued to April 20, 2016 at 9:30 a.m.
- 9 3. The parties shall file a Joint Scheduling Report at least 15 days before the Initial  
10 Status Conference.
- 11 4. Ensign United States Drilling (California), Inc.'s deadline for responding to  
12 Request for Production of Documents is extended and will be determined in accordance with the  
13 Parties' discovery plan, or otherwise, as set by the Court at the Initial Scheduling Conference.

14 IT IS SO ORDERED.

15 Dated: March 16, 2016

16 /s/ Jennifer L. Thurston  
17 UNITED STATES MAGISTRATE JUDGE