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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**
10

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. and ENSIGN UNITED
STATES DRILLING, INC.,

17 Defendants.
18

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

STIPULATION AND PROPOSED
ORDER TO CONTINUE STATUS
CONFERENCE; [~~PROPOSED~~] ORDER

(Doc. 41)

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

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

26 2. Defendants Ensign United States Drilling, Inc. and Ensign United States Drilling
27 (California), Inc. answered the Complaint on September 2, 2015;

28 3. On January 14, 2016, Plaintiffs served Defendant Ensign United States Drilling

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1 (California), Inc. with Plaintiffs' First Request for Production of Documents;

2 4. On April 18, 2016, the Parties filed a Stipulation to dismiss Defendant Ensign
3 Energy Services, Inc. without prejudice;

4 5. On April 21, 2016, the Court issued a Scheduling Order following the Initial
5 Scheduling Conference on April 20, 2016, in which the Court:

- 6 a. Ordered Defendants to file the motion for summary judgment discussed at the
7 Initial Scheduling Conference no later than May 13, 2016, along with a joint
8 statement of undisputed facts;
- 9 b. Set two status conferences on July 7, 2016 and on January 13, 2017 and
10 ordered the parties to file a joint status conference report one week before each
11 conference;
- 12 c. Specified that the joint statement shall outline the discovery that has been
13 completed and that which needs to be completed related to the motion for
14 summary judgment as well as any impediments to complying with the
15 deadlines set forth in this order; and
- 16 d. Ordered the parties to file any motions or stipulations to amend the case
17 schedule at least one week before the deadline the parties sought to extend;

18 6. Pursuant to stipulation and consistent with the Court's April 21, 2016 Scheduling
19 Order:

- 20 a. The Parties worked together to finalize a joint statement of undisputed facts;
- 21 b. On May 13, 2016, Defendants filed a motion for summary judgment and joint
22 statement of undisputed facts. Hearing on such motion is scheduled, per
23 stipulation, for November 15, 2016 at 9:30 a.m. in Courtroom 5 before the
24 Honorable Dale A. Drozd, United States District Court Judge;
- 25 c. On June 24, 2016, the Parties filed a stipulated protective order;
- 26 d. On June 20, 2016, Defendants commenced discovery limited to the issues
27 raised in the motion for summary judgment;
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e. The Parties have continued to meet and confer regarding the subject matter and scope of discovery, which Defendants have been producing on a rolling weekly basis;

7. The Parties agree that Defendants’ production of documents is taking longer than expected and that they would benefit from additional time to meet and confer regarding the appropriate scope of discovery and, if needed, to narrow the scope of discovery disputes that cannot be resolved informally and without the Court’s involvement;

8. The Parties anticipate they will need to jointly move to postpone the hearing on Defendants’ motion for summary judgment in order to complete discovery related to that motion, but that, given discovery is in its initial phase and that additional time is needed to confer regarding potential discovery disputes, it is too early to determine whether the hearing date should be adjusted;

9. Consequently, the Parties agree that a status conference to address discovery and motion schedule is premature;

10. For the foregoing reasons, the Parties jointly request that the June 7, 2016 status conference be continued to August 17, 2016;

NOW THEREFORE, the Parties stipulate and jointly request that the Court continue the July 7, 2016 Status Conference until August 17, 2016, or as soon thereafter as the Court’s calendar permits.

IT IS SO STIPULATED.

Dated: June 30, 2016

Respectfully submitted,
KLEIN, DENATALE, GOLDNER
COOPER, ROSENLIB & KIMBALL, LLP

By:

_____/s/_____
VANESSA FRANCO CHAVEZ
Attorneys for Defendants

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ORDER

Based on the Stipulation to Continue the July 7, 2016 Status Conference submitted by the parties, and good cause appearing, the Court hereby orders that:

- 1. The July 7, 2016 status conference, and all deadlines related thereto, are vacated.
- 2. The Status Conference is continued to August 15, 2016 at 9:00 a.m.
- 3. The parties shall file a joint status report at least one week before the status conference.

IT IS SO ORDERED.

Dated: June 30, 2016

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE