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11 **UNITED STATES DISTRICT COURT**

12 **EASTERN DISTRICT OF CALIFORNIA**

13 BECKY GREER; TIMOTHY C. BUDNIK;
14 ROSARIO SAENZ; HALEY MARKWITH
15 IAN CARTY; and MARIA GARCIA
16 PESINA, Individually and as "Class
17 Representatives,"

16 Plaintiffs,

17 v.

18 PACIFIC GAS AND ELECTRIC
19 COMPANY; IBEW LOCAL 1245, and
20 DOES 1 through 10, inclusive,

20 Defendants.

Case No. 1:15-CV-01066—EPG

**STIPULATION BY IBEW LOCAL
1245 AND PG&E RE RE-FILING
OF COMPENDIUM OF
EVIDENCE (DKT. 156) IN LIGHT
OF COURT ORDER (DKT. 166);
ORDER**

1 Defendants Pacific Gas and Electric Company and IBEW Local 1245 hereby stipulate
2 as follows:

- 3 1. Defendants are willing to re-file the Compendium of Evidence (Dkt. 156
4 ["Compendium"]) to exclude deposition corrections and errata sheets stricken by the
5 Court's June 1, 2017, Order (Dkt. 166). Specifically, the Court ordered that: "The
6 deposition corrections listed in Exh. A to the Toole Declaration (ECF No. 148-2) are
7 stricken."
- 8 2. Defendants submit that the Compendium should be re-filed to replace Dkt. 156, in a
9 manner so that the pagination of Dkt. 156 does not change. For example, in the
10 Compendium, Dkt. 156-3, Tab O, pp. 1070-1071 consists of pp. 54-55 of the Becky
11 Greer deposition transcript. This (Dkt. 156-3, Tab O, pp. 1070-1071) will still be the
12 correct citation to pp. 54-55 of the transcript of Ms. Greer's deposition, in a re-filed
13 Compendium.
- 14 3. The re-filed Compendium shall include clean original transcript pages (*i.e.*, without
15 handwritten corrections) for all deposition transcript corrections that are subject to the
16 Court's order (Dkt. 166). Further, the errata sheets filed with the initial Compendium
17 shall be re-filed, but with all stricken corrections redacted, to ensure that the pagination
18 remains the same as in the originally filed Compendium.
- 19 4. Defendants agree that Defendant PG&E shall promptly re-file the Compendium via
20 ECF, in accordance with the above stipulation, provided that the Court approves the
21 above stipulation and orders the Compendium to be re-filed. Alternatively, if the Court
22 does not believe that the above-described re-filing of the Compendium is necessary,
23 Defendants shall not re-file the Compendium.
- 24 5. In meet and confer correspondence initiated by Local 1245 shortly after Dkt. 166
25 issued, Defendants made this offer (to re-file the Compendium) to Plaintiffs. Although
26 Plaintiffs' counsel stated in a June 5, 2017, 6:33 p.m. email that "Plaintiffs have made,
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and continue to make, the request that the Compendium comply with the court order,”
Plaintiffs, after extensive meet and confer, declined to join in any stipulation regarding
the re-filing of the Compendium. Defendant Local 1245 shall promptly submit the full
email meet and confer history on this topic, if requested by the Court.

SO STIPULATED BY:
MENDELSON, P.C.

DATED: JUNE 7, 2017 LITTLER

By: /s/
Robert G. Hulteng
Joshua D. Kienitz
Aurelio J. Perez
Attorneys for Defendant, Pacific Gas &
Electric Company

DATED: JUNE 7, 2017

LEONARD CARDER, LLP

By: /s/
Philip C. Monrad
Paul H. Schwartz

DATED JUNE 7, 2017

IBEW LOCAL 1245

By: /s/
Alex J. Pacheco
Attorneys for Defendant, IBEW Local 1245

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ORDER

Based on the above stipulation, Defendants may file an amended compendium of evidence in connection with their motions for summary judgment. Defendants shall, to the extent possible, maintain the pagination of the amended compendium such that the page citations in their motions for summary judgment remain accurate. The amended compendium will not replace the original compendium (ECF No. 156) on the docket, but will be used in consideration of Defendants' motions for summary judgment and any motions thereafter.

IT IS SO ORDERED.

Dated: June 12, 2017

/s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE