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10

11 UNITED STATES DISTRICT COURT  
12 EASTERN DISTRICT OF CALIFORNIA AT FRESNO

13 ISIDRO PANIAGUA individually, and on  
14 behalf of all others similarly situated,

15 Plaintiff,

16 v.

17 DELANO FARMS COMPANY, a Washington  
State Corporation; CAL-PACIFIC FARM  
18 MANAGEMENT, L.P.; T&R BANGI'S  
AGRICULTURAL SERVICES, INC., KERN  
19 AG LABOR MANAGEMENT, INC., LA  
VINA CONTRACTING, INC. and DOES 1  
20 through 10, inclusive,

21 Defendants.  
22

NO. 1:16-cv-00907-DAD-JLT

**ORDER VACATING SCHEDULING  
CONFERENCE AND SETTING  
STATUS CONFERENCE**

**(Doc. 24)**

23  
24 Having met and conferred, the Parties hereby submit that good cause exists to modify  
25 the Court's Order Setting Mandatory Scheduling Conference (ECF No. 5), as required by  
26 Federal Rule of Civil Procedure 16(b)(4). On August 24, 2016, the Parties mediated and are  
27 now in the process of preparing a stipulation of settlement.

1 The Parties hereby stipulate as follows:

2 1. The scheduling conference on September 26, 2016, is hereby stricken, along  
3 with the deadline for submitting a joint scheduling report.

4 2. The Parties have reached a tentative settlement in this case and in the matter of  
5 *Arredondo et al. v. Delano Farms Co. et al.* (Case No. 1:09-cv-01247-MJS) (“Arredondo”).  
6 The Parties are working on a joint stipulation of settlement that is anticipated to address this  
7 case as well as the *Arredondo* case; the Parties expect that further proceedings concerning  
8 approval of the global settlement will occur in the *Arredondo* case at the conclusion of which,  
9 this case will be dismissed. Subject to the Court’s approval, the Parties propose to report to this  
10 Court on their progress in a telephonic status conference, to take place within ninety days from  
11 entry of this order.

12  
13 **SO STIPULATED:**

14 **SAVITT BRUCE & WILLEY LLP**

**MCCORMICK BARSTOW LLP**

15  
16 By /s/ David N. Bruce (as authorized on  
17 9/9/2016)

By /s/ D. Greg Durbin (as authorized on  
18 9/8/2016)

19 David N. Bruce, *Pro Hac Vice*  
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21 Attorneys for Delano Farms Company

Attorneys for Cal-Pacific Farm Management,  
L.P., Kern Ag Labor Management, Inc., and T&R  
Bangi’s Agricultural Services, Inc.

22 **LAW OFFICES OF WILLIAM C. HAHESY**

**MARTINEZ AGUILASOCHO & LYNCH**

23 By /s/ William C. Hahesy (as authorized  
24 on 9/9/2016)

By /s/ Mario Martinez (as authorized on  
25 9/9/2016)

26 William C. Hahesy, State Bar No. 105743

Mario Martinez, State Bar No. 200721  
Thomas Patrick Lynch, State Bar No.159277

27 Attorney for Delano Farms Company

Attorneys for Plaintiffs

1 **ORDER**

2 Based upon the foregoing, the Court **ORDERS**:

3 1. The scheduling conference is **VACATED**;

4 2. The Court sets a status conference re: settlement on **December 2, 2016** at 8:30  
5 a.m. at the United States Courthouse, located at 510 19<sup>th</sup> Street, Bakersfield, CA. Appearances  
6 via CourtCall are authorized;

7 3. **No later than November 23, 2016**, counsel **SHALL** file a joint report setting  
8 forth the status of the efforts to resolve this matter. **Counsel are advised that the Court**  
9 **expects that the plaintiff will file the motion for preliminary approval of the class**  
10 **settlement no later than 30 days from the status conference if, indeed, it will settle.**

11 Counsel **SHALL** use all efforts to posture this case to meet that deadline.

12  
13 IT IS SO ORDERED.

14 Dated: **September 9, 2016**

**/s/ Jennifer L. Thurston**  
15 UNITED STATES MAGISTRATE JUDGE