

1 Jesse J. Maddox, Bar No. 219091  
jmaddox@lcwlegal.com  
2 Michael D. Youril, Bar No. 285591  
myouril@lcwlegal.com  
3 LIEBERT CASSIDY WHITMORE  
A Professional Law Corporation  
4 5250 North Palm Ave, Suite 310  
Fresno, California 93704  
5 Telephone: 559.256.7800  
Facsimile: 559.449.4535

6  
7 Deanne H. Peterson, Bar No. 147099  
dpeterson@co.tulare.ca.us  
Kathleen A. Taylor, Bar No. 131100  
8 ktaylor@co.tulare.ca.us  
County Counsel, Tulare County  
9 2900 W. Burrel Ave.  
Visalia, California 93291  
10 Telephone: 559.636.4950  
Facsimile: 559.737.4319

11 Attorneys for Defendant COUNTY OF TULARE

12  
13 David E. Mastagni, Bar No. 204244  
14 Isaac S. Stevens, Bar No. 251245  
Ace T. Tate, Bar No. 262015  
15 Mastagni Holstedt  
A Professional Corporation  
16 1912 "I" Street  
Sacramento, California 95811  
17 Telephone: (916) 446-4692  
Facsimile: (916) 447-4614

18 Attorneys for Plaintiffs

19  
20 UNITED STATES DISTRICT COURT  
21 EASTERN DISTRICT OF CALIFORNIA

22 HENRY SEGUIN, on behalf of himself  
23 and all similarly situated individuals,

24 Plaintiff,

25 v.

26 COUNTY OF TULARE,

27 Defendant.

Case No.: 1:16-cv-01262 DAD SAB

**STIPULATION AND ORDER TO CONTINUE  
DATE OF SETTLEMENT CONFERENCE**

Date: December 1, 2017  
Time: 1:00 pm  
Courtroom: 6

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Plaintiffs HENRY SEGUIN, ET AL. (“Plaintiffs”) and Defendant COUNTY OF TULARE (“Defendant”), by and through their respective counsel, hereby stipulate as follows:

WHEREAS, Plaintiffs filed this collective action on August 26, 2016, asserting that Defendant violated the overtime payment provisions of the Fair Labor Standards Act (“FLSA”);

WHEREAS, Magistrate Judge Boone’s January 19, 2017 Scheduling Order (Dkt. No. 26) scheduled a settlement conference for September 26, 2017, before Magistrate Judge Seng;

WHEREAS, on May 17, 2017, the Court granted the Parties’ stipulation for conditional certification and facilitated class notice (Dkt. 32);

WHEREAS, the opt-in period for potential plaintiffs closed on or about September 28, 2017; however, the Parties agreed to permit additional, late opt-ins;

WHEREAS, on September 15, 2017, the Court issued a Minute Order continuing the September 26, 2017 settlement conference to a date to be determined (Dkt. 41);

WHEREAS, the Parties and the Court agreed to reschedule the settlement conference for December 1, 2017 (Dkt. 44);

WHEREAS, Defendant’s calculations regarding potential damages are incomplete, and given new issues regarding potential liability, Defendant notified Plaintiffs’ counsel on November 28, 2017 that Defendant is not positioned to meaningfully participate in settlement negotiations;

WHEREAS, the Parties have met and conferred and agree that the Parties need additional time to evaluate and investigate the claims in order to meaningfully participate in the settlement conference; and

WHEREAS, the Parties agree it would be more productive for such a settlement conference to take place in late January or February 2018.

NOW THEREFORE, the Parties stipulate as follows:

The settlement conference originally set for December 1, 2017 should be continued to a date in late-January or February 2018, or such later date convenient for the Court.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: November 29, 2017

LIEBERT CASSIDY WHITMORE

By:           /S/ Jesse J. Maddox            
Jesse J. Maddox  
Michael D. Youril  
Attorneys for Defendant COUNTY  
OF TULARE

Dated: November 29, 2017

MASTAGNI HOLSTEDT

By:           /S/ Ace T. Tate            
David E. Mastagni  
Isaac S. Stevens  
Ace T. Tate  
Attorneys for Plaintiffs HENRY  
SEGUIN, et al.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Having considered the foregoing Stipulation and Order to Continue Date of Settlement Conference in Case No. 1:16-cv-01262 DAD SAB, the Court refers the parties to the Minute Order at ECF No. 49, continues the December 1, 2017, settlement conference to January 5, 2018 at 1:00 pm in Courtroom 6, in Fresno, and resets the deadline to submit settlement conference statements and file notices of submission of same to seven calendar days prior to the new settlement conference date. In all other respects the proposed Stipulation is denied.

IT IS SO ORDERED.

Dated: November 30, 2017

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE