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14	UNITED STATES DISTRICT COURT		
15	EASTERN DISTRICT OF CALIFORNIA		
16	STEVEN VILLARREAL, AGUSTIN	Case No. 1:16-cv-01661-LJO-EPG	
17	BENITEZ, and CARLOS MORALES, on behalf of themselves and all others similarly situated,	STIPULATION AND ORDER RE: DEADLINE TO FILE RESPONSE TO	
18	Plaintiffs,	FIRST AMENDED COMPLAINT AND CONTINUANCE OF SCHEDULING	
19		CONFERENCE	
20	VS.		
21	PERFECTION PET FOODS, LLC, a California limited liability company,		
22	Defendant.		
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1	I.
2	STIPULATION
3	Plaintiffs STEVEN VILLARREAL, AGUSTIN BENITEZ, and CARLOS MORALES
4	(collectively, "Plaintiffs") and Defendant PERFECTION PET FOODS, LLC ("Defendant")
5	hereby agree as follows:
6	1. Pursuant to a stipulation entered into by Plaintiffs and Defendant, which
7	subsequently became an Order of the above-entitled Court, Plaintiffs filed their First
8	Amended Complaint in this case on January 10, 2017 (the "FAC").
9	2. In accordance with the prior stipulation and Order of the above-entitled Court,
10	Defendant had until January 24, 2017 to file a response to the FAC.
11	3. In discussions with counsel for Plaintiffs, counsel for Defendant indicated that
12	a Motion to Compel Arbitration would be filed in response to the FAC.
13	4. Counsel for Plaintiffs agreed to review the arbitration policy and/or
14	agreements at issue and consider whether or not Plaintiffs would be agreeable to
15	stipulating to refer the above-captioned action to binding arbitration.
16	5. In order to give the parties time to discuss the issue of binding arbitration, and
17	possibly avoid the need for a Motion to Compel Arbitration to be filed, Plaintiffs agreed to
18	continue Defendant's deadline to file a response to the FAC fourteen (14) days (or until
19	February 7, 2017).
20	6. Presently, a Mandatory Scheduling Conference is set to take place in the
21	above-captioned action on February 7, 2017. The parties acknowledge that in the event
22	the purported disputes are sent to binding arbitration, there will be no need for the
23	Mandatory Scheduling Conference to take place.
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1	7. In the event Plaintiffs do not a	gree to stipulate to binding arbitration,	
2	Defendant will file its Motion to Compel Arbitration on February 7, 2017 and request that the		
3	hearing on the Motion to Compel Arbitration be set for March 10, 2017.		
4	8. In order to the give the parties, and if necessary the Court, time to address		
5	the issue of binding arbitration, Plaintiffs and Defendant agree that the Mandatory		
6	Scheduling Conference currently set for February 7, 2017 should be continued to a date in		
7	late March or early April of 2017.		
8	IT IS SO STIPULATED.		
9	Pursuant to Civil Local Rule 131(e), concurrence in the filing of this document has		
10	been obtained from Jennifer E. McGuire, Esq., counsel for Plaintiffs on January 24, 2017.		
11	H	OYER & HICKS	
12	Date: January 24, 2017 /s	/ Jennifer E. McGuire	
13	<u>(a</u>	s authorized on 1-24-17) ennifer E. McGuire	
14	A	ttorneys for Plaintiffs Steven Villarreal, gustin Benitez, and Carlos Morales	
15		OWLING AARON INCORPORATED	
16			
17		/ Mark D. Kruthers ark D. Kruthers	
18	At	torneys for erfection Pet Foods, LLC	
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1	ORDER		
2	Based upon the foregoing stipulation and good cause appearing, the terms and		
3	conditions set forth in the Stipulation are SO ORDERED and the Mandatory Scheduling		
4	Conference in the above-entitled matter is continued to April 18, 2017 at 9:30 a.m., in		
5	Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean.		
6	IT IS SO ORDERED.		
7	Dated: January 30, 2017 /s/ Encir P. Shorp		
8	UNITED STATES MAGISTRATE JUDGE		
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