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UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

JEFFREY COX,	Plaintiff,
v.	
ROADRUNNER INTERMODAL SERVICES, LLC, a Delaware limited liability company, CENTRAL CAL TRANSPORTATION, LLC, a Delaware limited liability company, and DOES 1 through 50,	
	Defendant(s).

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ROADRUNNER INTERMODAL SERVICES, LLC, a Delaware limited liability company,	Defendant and Counter-Plaintiff,
v.	
JEFFREY COX,	Plaintiff and Counter-Defendant.

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ROADRUNNER INTERMODAL SERVICES, LLC, a Delaware limited liability company,	
	Plaintiff,
v.	
T.G.S. TRANSPORTATION, INC., a California corporation, and DOES 1-10,	
	Defendants.

Case Nos.: 1:17-cv-01207-DAD-BAM, 1:17-cv-01056-DAD-BAM (consolidated)

**JOINT STIPULATION AND ORDER TO  
EXTEND OUTSTANDING PLEADING  
AND DISCOVERY DEADLINES AND  
STAY DISCOVERY**

Counterclaim filed October 10, 2017

1 The Parties respectfully request the Court to extend outstanding pleading and discovery  
2 deadlines and stay discovery for forty-five (45) days in order to optimize the Parties' ability to  
3 reach a negotiated resolution of their disputes at the mediation tentatively scheduled for the week  
4 of April 23–27, 2018. In support of their stipulation, the Parties state as follows:

5 1. On February 26, 2018, Plaintiff Jeffrey Cox ("Cox") and Defendants Roadrunner  
6 Intermodal Services, LLC ("Roadrunner") and Central Cal Transportation, LLC ("Central Cal")  
7 filed a stipulation and proposed order for Cox to file a First Amended Complaint. ECF No. 95.

8 2. On February 27, 2018 and March 2, 2018, the Court entered orders granting Cox  
9 permission to file a First Amended Complaint and ordering Roadrunner and Central to file a  
10 response within twenty-one (21) days after filing and service of the First Amended Complaint.  
11 ECF Nos. 96, 97.

12 3. T.G.S. Transportation, Inc. ("TGS") agreed to amend its responses to Roadrunner's  
13 interrogatories, set one, and requests for production of documents, set one, by March 22, 2018.

14 4. TGS further agreed to begin TGS's production of responsive documents to  
15 Roadrunner's requests for production of documents, set one, by March 28, 2018.

16 5. The Parties agreed to depose the following witnesses on the following dates:

- 17 a. Grace Castaneda and Chris Rodriguez: April 12, 2018;
- 18 b. Tim Schneider: April 25, 2018;
- 19 c. Peter Schneider: April 26, 2018; and
- 20 d. Judy Vijum: May 22, 2018.

21 6. On March 5, 2018, Cox filed a First Amended Complaint. ECF No. 98. The  
22 deadline for Roadrunner and Central Cal to file a response is March 26, 2018. ECF Nos. 96, 97.

23 7. On March 12, 2018 TGS propounded interrogatories, set one, and requests for  
24 production of documents, set one, on Roadrunner. Roadrunner's current response deadline is  
25 April 16, 2018.

26 8. On March 21, 2018, the Parties agreed to engage a private mediator and participate  
27 in a mediation the week of April 23–27, 2018.

1           9.       The Parties have engaged in discovery in this matter and are currently preparing for  
2 the upcoming mediation.

3           10.       The Parties anticipate incurring substantial costs associated with pleading and  
4 discovery efforts between now and the mediation tentatively scheduled for the week of April 23–  
5 27, 2018, including without limitation costs associated with preparing responses to Cox’s First  
6 Amended Complaint, the processing and production of electronically-stored information, costs  
7 associated with resolving disagreements regarding discovery requests, and costs associated with  
8 depositions and third-party discovery.

9           11.       The Parties in good faith believe that deferring until after mediation, if necessary,  
10 the substantial pleading and discovery costs that will be incurred over the next month will give the  
11 Parties the best possible chance to resolve their dispute, as such costs directly and adversely affect  
12 the Parties' ability to reach a settlement.

13           12.       Should the Parties defer their document productions and other high-cost discovery  
14 tasks until, if necessary, after the mediation, they anticipate needing additional time beyond the  
15 week of April 23–27, 2018 in order to complete discovery and therefore seek to extend the time  
16 for discovery by a proportionate amount of time to allow preservation of assets that could be used  
17 to fund a settlement in this matter.

18           13.       This joint stipulation was not filed for the purpose of delay, but rather to provide  
19 the Parties the best chance to resolve their disputes at the upcoming mediation.

20           14.       WHEREFORE, under Local Rule 144, the Parties respectfully request that the  
21 Court grant their stipulation to extend the time to respond to Cox’s First Amended Complaint,  
22 continue all outstanding discovery deadlines, and stay all other discovery for forty-five (45) days  
23 as follows:

- 24                   a.   Deadline for TGS to amend its responses to Roadrunner’s interrogatories, set  
25                            one, and requests for production of documents, set one: May 7, 2018;  
26                   b.   Deadline for Roadrunner and Central Cal to respond to Cox’s First Amended  
27                            Complaint: May 10, 2018;

- 1 c. Deadline for TGS to substantially comply with its obligation to produce  
2 documents responsive to Roadrunner's requests for production of documents,  
3 set one: May 14, 2018.
- 4 d. Deadline for Roadrunner to respond to TGS's interrogatories, set one, and  
5 requests for production of documents, set one: May 31, 2018;
- 6 e. Grace Castaneda and Chris Rodriguez's depositions will take place on or after  
7 May 29, 2018 based on party and witness availability;
- 8 f. Tim Schneider's deposition will take place on or after June 11, 2018 based on  
9 party and witness availability;
- 10 g. Peter Schneider's deposition will take place on or after June 11, 2018 based on  
11 party and witness availability;
- 12 h. Judy Vijum's deposition will take place on or after July 6, 2018 based on party  
13 and witness availability; and
- 14 i. All other discovery is stayed forty-five (45) days from the date of this order,  
15 which includes without limitation, depositions, discovery requests, and third-  
16 party discovery.

17 **IT IS SO STIPULATED.**

18  
19 Dated: March 22, 2018

**SAGASER, WATKINS & WIELAND PC**

20  
21 By: /s/ Ian B. Wieland (as authorized on 03/22/18)

22 Howard A. Sagaser  
23 Ian B. Wieland  
24 Christopher M. Rusca  
Attorneys for Plaintiff and Counter-Defendant,  
Jeffrey Cox

1 Dated: March 22, 2018

**GREENBERG TRAURIG, LLP**

3 By: /s/ James N. Nelson

4 James N. Nelson

5 Kurt A. Kappes

6 Michael D. Lane

Michelle L. DuCharme

Sean A. Newland

Attorneys for Plaintiff, Counter-Plaintiff and

Defendant ROADRUNNER INTERMODAL

SERVICES, LLC and Defendant CENTRAL CAL

TRANSPORTATION, LLC

10 Dated: March 22, 2018

**McCORMICK, BARSTOW, SHEPPARD, WAYTE  
& CARRUTH LLP**

12 By: /s/ Scott J. Ivy (as authorized on 03/22/18)

13 Scott J. Ivy

Shane G. Smith

Attorneys for Defendant, T.G.S.

TRANSPORTATION, INC.,

a California corporation

**ORDER**

17 Good cause appearing, the parties' stipulation to extend the time to respond to Cox's First  
18 Amended Complaint, continue all outstanding discovery deadlines, and stay all other discovery for  
19 forty-five (45) days is HEREBY GRANTED as follows:

20 a. Deadline for TGS to amend its responses to Roadrunner's interrogatories, set one,  
21 and requests for production of documents, set one: May 7, 2018;

22 b. Deadline for Roadrunner and Central Cal to respond to Cox's First Amended  
23 Complaint: May 10, 2018;

24 c. Deadline for TGS to substantially comply with its obligation to produce documents  
25 responsive to Roadrunner's requests for production of documents, set one: May 14, 2018.

26 d. Deadline for Roadrunner to respond to TGS's interrogatories, set one, and requests  
27 for production of documents, set one: May 31, 2018;

1 e. Grace Castaneda and Chris Rodriguez's depositions will take place on or after May  
2 29, 2018 based on party and witness availability;

3 f. Tim Schneider's deposition will take place on or after June 11, 2018 based on party  
4 and witness availability;

5 g. Peter Schneider's deposition will take place on or after June 11, 2018 based on  
6 party and witness availability;

7 h. Judy Vijum's deposition will take place on or after July 6, 2018 based on party and  
8 witness availability; and

9 i. All other discovery is stayed forty-five (45) days from the date of this order, which  
10 includes without limitation, depositions, discovery requests, and third-party discovery.

11 IT IS FURTHER ORDERED that the Scheduling Conference currently set for March 29,  
12 2018 is HEREBY CONTINUED to **May 24, 2018, at 9:30 a.m. in Courtroom 8 (BAM) before**  
13 **Magistrate Judge Barbara A. McAuliffe**. A revised joint scheduling conference report,  
14 carefully prepared and executed by all counsel, shall be electronically filed one (1) full week prior  
15 to the Scheduling Conference, and a copy shall be e-mailed in Word format to  
16 [bamorders@caed.uscourts.gov](mailto:bamorders@caed.uscourts.gov). The parties may appear at the conference by telephone with each  
17 party using the following dial-in number and access code: **dial-in number 1-877-411-9748;**  
18 **access code 3190866**. If the parties file a notice of settlement prior to the conference, then the  
19 conference will be vacated.

20 IT IS SO ORDERED.

21 Dated: **March 26, 2018**

22 /s/ *Barbara A. McAuliffe*  
23 UNITED STATES MAGISTRATE JUDGE  
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