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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).

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

**JOINT STIPULATION AND ORDER
NOTICE OF MOTION TO COMPEL
(ECF 115)**

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

Judge: Hon. Barbara A. McAuliffe
Date: October 4, 2018
Time: 10:00 a.m.
Crtrm.: 8 of the Robert E. Coyle United States
Courthouse

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

1 Roadrunner Intermodal Services, LLC (“Roadrunner”) and TGS Transportation, Inc.
2 (“TGS”) (Roadrunner and TGS are collectively the “Parties”) hereby jointly ask the Court to relieve
3 the Parties of any further briefing with respect to TGS’s Notice of Motion to Compel (ECF No.
4 115), given that TGS hereby withdraws the Notice of Motion, without prejudice to its rights to seek
5 further relief should circumstances change. In support of this Stipulation, the Parties state as
6 follows:

7 1. On September 27, 2018, as directed by the Court, the Parties personally appeared to
8 meet and confer to resolve outstanding and impending discovery disputes and establish a schedule
9 for completion of discovery and depositions in this action.

10 2. One dispute under consideration at that time was TGS’ motion requesting an order
11 compelling Roadrunner to re-designate certain produced documents and written discovery responses
12 that had been designated AEO under the Protective Order entered in this action.

13 3. The Parties were unable to reach an agreement to resolve TGS’ motion, and thus the
14 Court ordered Roadrunner and TGS to “each file and service a 5-7-page brief and any exhibits by
15 **October 8, 2018**, on the issue of removing the AEO designation.” (Order Regarding Discovery
16 Dispute Conference, Dkt. No. 131, at 3.)

17 4. The Court further ordered the Parties to appear for a Telephonic Status Conference
18 on October 4, 2018, at 10:00 a.m., following which the Court issued an order that extended the AEO
19 briefing deadline from October 8, 2018 to October 9, 2018. (Dkt. No. 133.)

20 5. The Parties continued to work cooperatively on the discovery issues addressed at the
21 September 27 conference and continued to meet and confer regarding Roadrunner’s AEO
22 designations—making meaningful progress on that issue.

23 6. Considering the Parties’ continuing, cooperative efforts to resolve the pending AEO-
24 designation issue and progress on that front, the Parties sought and obtained an additional one-week
25 extension of the existing deadline to **October 16, 2018**, so the Parties could continue their efforts to
26 resolve this matter without the necessity of briefing and a formal Court ruling, or to narrow the
27 scope of briefing.

1 7. The Parties have now resolved in principal the issues that are the subject of TGS
2 Notice of Motion to Compel (ECF No. 115), and have agreed to and hereby do jointly ask the Court
3 to relieve the parties of any further briefing with respect to TGS's Notice of Motion to Compel (ECF
4 No. 115), given that TGS hereby withdraws the Notice of Motion, without prejudice to its rights to
5 seek further relief should circumstances change.

6
7 **IT IS SO STIPULATED.**

8
9 Dated: October 18, 2018

10 **GREENBERG TRAUIG, LLP**

11 By: /s/ Kurt A. Kappes (as authorized on [])

12 James N. Nelson

13 Kurt A. Kappes

14 Michael D. Lane

15 Michelle L. DuCharme

16 Sean A. Newland

17 Attorneys for Plaintiff, Counter-Plaintiff and

18 Defendant ROADRUNNER INTERMODAL

19 SERVICES, LLC and Defendant CENTRAL CAL

20 TRANSPORTATION, LLC

21 Dated: October 18, 2018

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

24 By: /s/ Scott J. Ivy (as authorized on [])

25 Scott J. Ivy

26 Shane G. Smith

27 Attorneys for Defendant, T.G.S.

28 TRANSPORTATION, INC.,

 a California corporation

ORDER

 The parties are HEREBY RELIEVED of any further briefing with respect to TGS's Notice
of Motion to Compel (ECF No. 115), and the motion is deemed withdrawn without prejudice.

IT IS SO ORDERED.

 Dated: October 22, 2018

/s/ Barbara A. McAuliffe

 UNITED STATES MAGISTRATE JUDGE