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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

VICTOR RODRIGUEZ, et al.,  
Plaintiffs,  
v.  
M.J. BROTHERS, INC., et al.,  
Defendants.

Case No.: 1:18-CV-00252-LJO-SAB  
ORDER GRANTING STIPULATION  
CONCERNING FURTHER PROCEEDINGS  
ON PLAINTIFFS’ MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT; VACATING  
MARCH 8, 2019 FINDINGS AND  
RECOMMENDATIONS; AND CONTINUING  
HEARING ON MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT TO APRIL 24, 2019  
(ECF No. 26)

Plaintiffs Victor Rodriguez, Estreberto Valdez, Miguel Esparza, and Francisco Banda, and Defendants M. J. Brothers, Inc., Eduardo Martin, Daniel Martin, Fernando Martin, and Ronald Martin, filed a Stipulation Concerning Further Proceedings on Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement (“Stipulation”) on March 13, 2019.

On March 8, 2019, the Magistrate Judge issued Findings and Recommendations Recommending Granting in Part and Denying in Part Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement. The findings and recommendations were submitted to the district court judge assigned to the action, because the parties had not consented to the jurisdiction of the Magistrate Judge. All parties have now consented to the jurisdiction of the Magistrate Judge.

In the Stipulation, the parties agree to address concerns identified in the findings and

1 recommendations, including revising the settlement agreement, revising the class and collective  
2 action notices, and presenting additional information in support of the motion for preliminary  
3 approval of class action settlement. The parties also request that the Court continue the hearing on  
4 Plaintiffs' motion.

5 Based on the Stipulation, and GOOD CAUSE APPEARING, IT IS HEREBY ORDERED  
6 that:

- 7 1. The findings and recommendations filed March 8, 2019 is VACATED;
- 8 2. The hearing on Plaintiffs' motion for preliminary approval of class action settlement  
9 is CONTINUED to **April 24, 2019, at 10:00 a.m.** in Courtroom 9.
- 10 3. Plaintiffs shall file supplemental briefing addressing the concerns raised in the  
11 findings and recommendations by **April 17, 2019.**

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13 IT IS SO ORDERED.

14 Dated: March 14, 2019

  
UNITED STATES MAGISTRATE JUDGE

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