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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

Cristobal Garcia, an individual, on behalf of
himself and all others similarly situated,

Plaintiff,

vs.

Schlumberger Lift Solutions LLC, a Delaware
Limited Liability Company; Schlumberger Rod
Lift Inc., a Delaware Corporation; and Does 1
through 10,

Defendants.

Case No. 1:18-cv-01261-DAD-JLT
(Assigned to the Hon. Dale A. Drozd)

**Joint Stipulation Continuing Class
Certification Dates**

Plaintiff Cristobal Garcia and Defendants Schlumberger Lift Solutions LLC and Schlumberger Rod Lift, Inc. ("Defendants") (collectively "the Parties") jointly stipulate as follows:

WHEREAS, Plaintiff filed his Motion for Class Certification on July 10, 2020;

WHEREAS, Defendants' deadline to oppose Plaintiff's Motion is currently set for October 26, 2020 (Dkt. 48) based upon an earlier stipulation to continue dates;

Joint Stipulation Continuing Class Certification Dates

1 WHEREAS, the Court's initial Scheduling Order, issued on November 29, 2018 (Dkt. 12),
2 states that "defendant may conduct discovery as to the evidence relied upon by plaintiff for the motion
3 for class certification ... [d]uring the interval between the filing of the motion and the deadline for the
4 opposition";

5 WHEREAS, originally for the first request for continuance, Defendants requested that 12
6 depositions of witnesses be taken. These witnesses were the 12 declarants submitted in support of
7 Plaintiff's motion for certification;

8 WHEREAS, six of those depositions have already been taken – one of which Defendants want
9 to continue to a second session. As a result, there are a total of seven depositions that remain to be
10 taken out of 12 declarants;

11 WHEREAS, Defendants wish to obtain statements from 10 additional witnesses with respect to
12 Plaintiff's Motion for Certification. Because those individuals are members of the settlement class
13 which this Court preliminarily approved on July 16, 2020, and because Plaintiff objects to Defendants
14 having direct contact with these individuals in light of their status as settlement class members,
15 Defendants have requested to depose them.

16 WHEREAS, this means that there are at least a total of 17 uncompleted depositions that
17 Defendants want to take to oppose Plaintiff's Motion for Certification;

18 WHEREAS, Defendants have proposed a schedule to complete this discovery in time for the
19 current October 26, 2020 opposition deadline but which Plaintiff's counsel believes is functionally
20 unworkable from a scheduling standpoint;

21 WHEREAS, Plaintiff's counsel represents that this schedule is functionally impossible due to
22 issues related to the Coronavirus pandemic, the needs of other cases being handled by Plaintiff's
23 counsel, and other personal and business scheduling reasons;

24 WHEREAS, the Parties agree that, because of the cited issues, it is agreeable to all counsel that
25 Defendants have additional time to take discovery to oppose certification. The Parties propose the that
26 Defendants' Opposition to the Motion for Certification, Plaintiff's Reply to the Opposition to the
27 Motion for Certification and the hearing date on the motion be continued for approximately 90 days so
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1 that the discovery can be completed and the Opposition date does not fall within the end-of-the-year
2 holiday season;

3 WHEREAS, Defendants' Opposition to the Motion for Certification is now scheduled for
4 October 26, 2020. The parties propose that the new date be January 25, 2021.

5 WHEREAS, Plaintiff's deadline to Reply to Defendants' Opposition is now November 30,
6 2020. The parties propose that the new date be March 1, 2021;

7 WHEREAS, the Class Certification Motion hearing is set for January 4, 2021 at 9:00 a.m. The
8 parties request a new hearing date on April 12, 2021;

9 WHEREAS, the parties recognize that the Court has already granted one continuance of these
10 dates. However, the parties assure the Court that there are very good reasons for the need for the
11 continuance, that they are working diligently together to manage the issues that are making scheduling
12 difficult, and that it is in fact functionally impossible to complete this discovery in enough time to meet
13 Defendants' October 26, 2020 opposition deadline;

14 THEREFORE, the Parties, by and through their counsel of record, stipulate and request the
15 following continuance for the reasons set forth above and propose new dates as follows:

- 16 1. That the deadline for Defendants to file their Opposition to Plaintiff's Motion be continued
17 to January 25, 2021;
- 18 2. That the deadline for Plaintiff to file a Reply to the Opposition be continued to March 1,
19 2021;
- 20 3. That the hearing date be continued to April 12, 2021 -- or such other date that the Court is
21 available.

22 Respectfully submitted by all Parties on this 14th day of September, 2020

23
24 /s/ Heather D. Hearne
25 Counsel for Defendants

26 /s/ Lonnie C. Blanchard
27 Counsel for Plaintiff
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1 **[PROPOSED] ORDER**

2 Based upon the stipulation of the Parties, the Court ORDERS the case schedule to be amended
3 as follows:

- 4 1. Defendants' Opposition to Plaintiff's Motion SHALL be filed no later than January 25,
5 2021;
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7 2. Plaintiff's Reply to the Opposition, if any, SHALL be filed no later than March 1, 2021;
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9 3. The hearing on Plaintiff's Motion for Class Certification is re-set for April 12, 2020 at
9 9:00 a.m. before Judge Thurston at the United States Courthouse located at 510 19th Street, Bakersfield,
10 California.

11 **The Court does not anticipate granting any further extensions of time related to the class**
12 **certification motion, so counsel are strongly urged to comply with these new deadlines.**
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15 IT IS SO ORDERED.

16 Dated: September 14, 2020

/s/ Jennifer L. Thurston
17 UNITED STATES MAGISTRATE JUDGE
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