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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAMON VALENZUELA,

Plaintiff,

v.

MAUSER USA, LLC, et al.,

Defendants.

Case No. 1:20-cv-00094-NONE-SAB

ORDER RE STIPULATION TO EXTEND
STAY OF ACTION 120 DAYS TO
FINALIZE SETTLEMENT

(ECF No. 17)

120 DAY DEADLINE

Ramon Valenzuela (“Plaintiff”) on behalf of himself and all others similarly situated, filed this action in Merced Superior Court on November 6, 2019, against Mauser USA, LLC, BWAY Corporation, and Mauser Packaging Solutions (“Defendants”). (ECF No 1.) On January 17, 2020, Defendants Mauser USA, LLC and BWAY Corporation removed this matter to the Eastern District of California alleging original and diversity jurisdiction exists. (Id.) On March 10, 2020, the Court granted the parties’ stipulation to stay all proceedings pending the completion of mediation. (ECF No. 12.)

On September 30, 2020, the parties attended mediation and reached an agreement regarding resolution of this action. (ECF No. 17.) The parties proffer that they have executed a memorandum of understanding regarding a global resolution of Plaintiff’s class action asserted in this action as well as his representative claims pursuant to the California Labor Code Private Attorneys General Act (“PAGA”), asserted in a separate action pending in the Superior Court for

1 the County of San Bernardino captioned Valenzuela v. Mauser USA, LLC, San Bernardino
2 Superior Court Case No. CIVDS2001207. (Id.) The parties are currently drafting long-form
3 settlement documents that will likely include provisions to: (1) amend Plaintiff's state court
4 action to add the class claims currently pending in this action; (2) seek approval of the global
5 settlement in the San Bernardino Superior Court; and (3) to seek dismissal of this action with
6 prejudice. (Id.) The parties request the Court set a deadline to file another joint status report
7 within 120 days to permit the parties to finalize the long-form settlement documents, amend the
8 state court action complaint, and initiate or complete the process of seeking preliminary approval
9 of a settlement in the state court action. The Court finds good cause to approve the parties'
10 stipulated request.

11 Pursuant to the stipulation of the parties, IT IS HEREBY ORDERED that:

- 12 1. The stay of this matter is extended 120 days from the date of entry of this order;
- 13 and
- 14 2. The parties shall file a joint status report within 120 days of entry of this order
- 15 informing the Court of the status of settlement and resolution of this action and
- 16 the related state court action.

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18 IT IS SO ORDERED.

19 Dated: October 14, 2020

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UNITED STATES MAGISTRATE JUDGE