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12
13 UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA

15 LYNN RUIZ, individually and on behalf of the
putative class,

16 Plaintiff,

17 v.

18
19 CONDUENT COMMERCIAL SOLUTIONS,
LLC, a Nevada limited liability company; and
20 DOES 1 through 50, inclusive,

21 Defendants.
22

CASE NO. 1:21-cv-1555-JLT-BAK (BAM)

**JOINT STIPULATION TO STAY
DISCOVERY AND CONTINUE
SCHEDULING CONFERENCE
PENDING A DECISION ON
DEFENDANT’S MOTION TO COMPEL
ARBITRATION AND ORDER**

23
24 Plaintiff Lynn Ruiz (“Plaintiff”) and Defendant Conduent Commercial Solutions, LLC
25 (“CCS” or “Defendant”) (collectively referred to as “the Parties”) hereby stipulate and jointly move
26 for a court order staying discovery and continuing the April 27, 2022 Scheduling Conference
27 pending a decision on Defendant’s pending Motion to Compel Arbitration. (Dkt No. 6)
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1 WHEREAS on September 20, 2021, Plaintiff filed a Complaint in the Superior Court of the
2 State of California for the County of Kern, Case No. BCV-21-102215, asserting two causes of
3 action on behalf of Plaintiff and all other persons similarly situated: (1) violation of Labor Code
4 Section 2802; and (2) unfair and unlawful business practices. (Dkt No. 2-1)

5 Defendant removed Plaintiff's Complaint to this Court on October 21, 2021. (Dkt No. 1).
6 Thereafter, on November 23, 2021, Defendant filed a Motion to Compel Arbitration. (Dkt No. 6).
7 Plaintiff submitted an Opposition to Defendant's Motion to Compel Arbitration on January 4, 2022.
8 (Dkt No. 9). Defendant filed a Reply Brief in Support of Motion to Compel Arbitration on January
9 11, 2022. (Dkt No. 12)

10 In light of the pending Motion to Compel Arbitration, on November 29, 2021, the Court
11 continued the Scheduling Conference originally scheduled for January 18, 2022 to April 27, 2022.
12 (Dkt No. 8). On April 18, 2022, the Parties filed a Joint Stipulation to Stay Discovery and Continue
13 Scheduling Conference Pending a Decision on Defendant's Motion to Compel Arbitration. (Dkt
14 No. 13). The Court granted that Stipulation on April 19, 2022 and continued the Initial Scheduling
15 Conference to September 29, 2022. (Dkt No. 16). The Court has not yet ruled on the pending
16 Motion to Compel.

17 WHEREAS the Parties desire to have the Scheduling Conference continued and discovery
18 stayed an additional thirty-days to allow time for the Court to rule on the pending Motion to Compel
19 Arbitration because a ruling on the motion would substantially impact the scope of these
20 proceedings and the scope of discovery. Accordingly, Plaintiff and Defendant hereby stipulate and
21 agree as follows:

22 1. Plaintiff and Defendant stipulate and agree to a thirty-day continuance and stay of the
23 Scheduling Conference scheduled for September 29, 2022.

24 2. Plaintiff and Defendant stipulate and agree to stay discovery pending a ruling on
25 Defendant's pending Motion to Compel Arbitration.

26 3. This Stipulation may be executed in any number of facsimile or electronic counterparts,
27 each of which shall be deemed an original, and all such counterparts taken together shall be deemed
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1 to constitute one and the same instrument.
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9 Dated: September 13, 2022
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12 By: /s/ Patrick Martinez
LABOR LAW PC

13 Attorney for Plaintiff
14 LYNN RUIZ

By: /s/ Heather D. Hearne
THE KULLMAN FIRM
A Professional Law Corporation

Attorney for Defendant
CONDUENT COMMERCIAL SOLUTIONS,
LLC

16
17 **ORDER**

18 Based on the parties' stipulation, and good cause appearing, IT IS HEREBY ORDERED
19 that Discovery remains STAYED in this matter pending resolution of the motion to compel
20 arbitration. Further, the Initial SCHEDULING CONFERENCE set for 09/29/2022 is continued to
21 **November 3, 2022, at 9:30 AM in Courtroom 8 (BAM)** before Magistrate Judge Barbara A.
22 McAuliffe. The parties shall file a Joint Scheduling Report one week prior to the conference.

23 IT IS SO ORDERED.
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25 Dated: September 15, 2022

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE