

**P O R T E R | S C O T T**

A PROFESSIONAL CORPORATION  
Russ J. Wunderli, SBN 95654  
Jared S. Mueller, SBN 257659  
350 University Ave., Suite 200  
Sacramento, California 95825  
TEL: 916.929.1481  
FAX: 916.927.3706

Attorneys for Defendant  
OLIVERA EGG RANCH, LLC

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GLORIA AVILA, et al.,

Case No. 2:08-CV-02488-JAM-KJN

Plaintiffs,

**STIPULATION AND ORDER TO  
AMEND THE STATUS (PRE-TRIAL  
SCHEDULING) ORDER TO ALLOW  
DEPOSITIONS UP TO AND INCLUDING  
JUNE 11, 2010**

v.

OLIVERA EGG RANCH, LLC,

Defendant.

\_\_\_\_\_ /

**IT IS HEREBY STIPULATED** by and between the parties through their counsel of record that the parties shall be allowed to take depositions up to and including June 11, 2010.

In light of the unanticipated amount of expert witnesses for whom depositions must be taken in this case, in addition to the unforeseen availability problems that have arisen during the scheduling of these depositions, it is necessary for one or more depositions to be taken after the discovery deadline of May 31, 2010, as provided in the Status (Pre-trial Scheduling) Order.

The parties have met and conferred on this issue and have stipulated to allow the taking of any depositions that have already been noticed but have not been scheduled due to unforeseen scheduling

problems. The parties will allow these depositions to take place up to and including June 11, 2010.

This stipulation is limited to those depositions that have already been noticed and shall not include any additional discovery.

Dated: May 25, 2010

PORTER SCOTT  
A PROFESSIONAL CORPORATION

By /s/ Jared S. Mueller  
Jared S. Mueller  
Attorneys for Defendant OLIVERA EGG  
RANCH, LLC

Dated: May 25, 2010

ORRICK, HERRINGTON & SUTCLIFFE LLP

By /s/ Nicole A. Roth  
Nicole A. Roth  
Attorneys for Plaintiffs GLORIA AVILA,  
CHENDA CHE, LIA GALICINAO,  
MICHELLE LONG, GLEN MAGAOAY,  
JANICE MAGAOAY, JEFFREY ORIGER,  
LARRY YEPEZ, LYNDA YEPEZ, WAYNE  
YEPEZ, and THE HUMANE SOCIETY OF  
THE UNITED STATES.

**ORDER**

The parties having filed a Stipulation to allow the taking of depositions, and good cause appearing therefore,

IT IS HEREBY ORDERED that the Status (Pre-trial Scheduling) Order is amended to allow the taking of depositions that have already been noticed up to and including June 11, 2010. This extension is limited to the taking of depositions that have already been noticed and shall not include any additional discovery.

**IT IS SO ORDERED.**

Dated: May 26, 2010

/s/ John A. Mendez  
UNITED STATES DISTRICT JUDGE

**DECLARATION OF PROOF OF SERVICE**

I am over the age of 18 years and not a party to the within action; my business address is, and I am employed at Porter Scott, 350 University Avenue, Suite 200, Sacramento, CA 95825.

On the date below I served the following document(s) on the person(s) listed below as follows:

**DOCUMENT(S) SERVED:** STIPULATION AND [PROPOSED] ORDER TO AMEND THE STATUS (PRE-TRIAL SCHEDULING) ORDER TO ALLOW DEPOSITIONS UP TO AND INCLUDING JUNE 11, 2010

\_\_\_\_ BY MAIL. By placing a true copy thereof enclosed in a sealed envelope addressed to each of the persons named below and by then placing said envelope for collection at a designated location at Porter Scott's offices during designated hours, for mailing on this date, following ordinary business practice.

X BY ELECTRONIC SERVICE. I caused the above-listed document(s) document to be electronically served by filing it with the Clerk of the Court through CM/ECF.

\_\_\_\_ BY PERSONAL SERVICE. I caused the above-listed document(s) to be delivered by hand to the office of the person(s) listed below.

\_\_\_\_ BY OVERNIGHT DELIVERY. I caused the above-listed document(s) to be delivered by overnight delivery to the office of the person(s) listed below.

\_\_\_\_ BY FACSIMILE. I caused the above-listed document(s) to be transmitted by facsimile machine to the office of the person(s) listed below.

**ADDRESSED AS FOLLOWS: SEE ATTACHED LIST**

I declare under penalty of perjury the foregoing is true and correct under the laws of the United States of America.

Executed at Sacramento, California, on May 25, 2010.

/s/ Jared S. Mueller  
Jared S. Mueller

**PROOF OF SERVICE LIST**

ROBERT S. SHWARTS  
JOSHUA D. WATTS  
NICOLE A. ROTH  
ORRICK, HERRINGTON & SUTCLIFFE  
THE ORRICK BUILDING  
405 HOWARD STREET  
SAN FRANCISCO, CA 94105-2669  
[rshwarts@orrick.com](mailto:rshwarts@orrick.com)  
[jwatts@orrick.com](mailto:jwatts@orrick.com)  
[nroth@orrick.com](mailto:nroth@orrick.com)

PETER BRANDT  
JESSICA CULPEPPER  
THE HUMANE SOCIETY OF THE UNITED STATES  
2100 L STREET, N.W.  
WASHINGTON, DC 20037  
[pbrandt@hsus.org](mailto:pbrandt@hsus.org)  
[jculpepper@hsus.org](mailto:jculpepper@hsus.org)

HILARIE A. LINK  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
777 SOUTH FIGUEROA STREET, SUITE 3200  
LOS ANGELES, CA 90017-5855  
[hlink@orrick.com](mailto:hlink@orrick.com)

STEPHANIE COWLES  
ALEXANDRA FREIDBERG  
ORRICK, HERRINGTON & SUTCLIFFE  
1152 15<sup>TH</sup> STREET, NW  
WASHINGTON, DC 20005  
[scowles@orrick.com](mailto:scowles@orrick.com)  
[afreidberg@orrick.com](mailto:afreidberg@orrick.com)