

1 PETER F. SAMUEL Bar #072503  
 2 SAMUEL AND SAMUEL  
 3 5050 Sunrise Blvd, Suite C-1  
 4 Fair Oaks, CA 95628  
 Telephone: (916) 966-4722  
 Facsimile: (916) 962-2219  
 Email:pfsamuel@samuellaw.com

5 MICHAEL L. CARVER Bar #173633  
 6 LABOR LAW OFFICE  
 7 A Professional Corporation  
 8 1600 Humboldt Road, Suite 3  
 9 Chico, CA 95928  
 Telephone: (530) 891-8503  
 Facsimile: (530) 891-8512  
 Email:carverm@aol.com

10 Attorneys for Plaintiff,  
 11 CHARLES L. JONES

12 NANCY E. PRITIKIN Bar #102392  
 13 LAURA E. HAYWARD Bar #204014  
 14 Email : LHayward@littler.com  
 15 LITTLER MENDELSON  
 16 A Professional Corporation  
 650 California Street, 20<sup>th</sup> Floor  
 San Francisco, CA 94108-2693  
 Telephone: (415) 433-1940  
 Facsimile: (415) 743-6674

17 Attorneys for Defendant,  
 18 BOART LONGYEAR COMPANY,  
 19 RICHARD VANDERPLOEG

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

22 CHARLES L. JONES, individually and on  
 23 behalf of all others similarly situated,

24 Plaintiff,

25 v.

26 BOART LONGYEAR COMPANY, a Utah  
 27 corporation; RICHARD VANDERPLOEG;  
 DOES 1 through 50, inclusive,

28 Defendants.

**Case No. 2:09 CV 00077-MCE-DAD**

**JOINT STIPULATION AMENDING  
 PRETRIAL SCHEDULING ORDER;  
 ORDER**

1 Pursuant to Federal Rule of Civil Procedure 16(b), Plaintiff Charles L. Jones (“Plaintiff” or  
2 “Jones”) and Defendant Boart Longyear Company Inc. (“Defendant” or Boart”) for good cause,  
3 hereby stipulate and agree to seek an amendment to the Pretrial Scheduling Order issued on June  
4 4, 2009.

5 The Parties have agreed to mediation which is scheduled to occur on March 14, 2011 and  
6 are actively engaged in discovery and depositions. Additionally, the parties are meeting and  
7 conferring on discovery disputes.

8 The Parties now jointly seek an amendment to the original pre-trial scheduling order to  
9 allow sufficient time to resolve discovery issues, engage in mediation and possible resolution.  
10 The parties request the following dates be continued:

11 WHEREBY the Parties request the following dates be continued by approximately 90  
12 days:

- |    |     |   |                   |
|----|-----|---|-------------------|
| 13 | (1) | Previous Discovery Cut Off Date:                | March 9, 2011     |
| 14 |     | <b>Proposed</b> Non-Expert Discovery Cut Off:   | June 20, 2011     |
| 15 |     |   |                   |
| 16 | (2) | Previous Disclosure of Expert Witnesses date:   | May 9, 2011       |
| 17 |     | <b>Proposed</b> Disclosure of Expert Witnesses: | August 30, 2011   |
| 18 |     |   |                   |
| 19 | (3) | Previous Dispositive Motions Cut Off date:      | July 7, 2011      |
| 20 |     | <b>Proposed</b> Dispositive Motion Cut Off:     | October 28, 2011  |
| 21 |     |   |                   |
| 22 | (4) | Final Pre-Trial Conference Date:                | November 17, 2011 |
| 23 |     | (no change)                                     |                   |
| 24 |     |   |                   |
| 25 | (5) | Trial:  | January 9, 2012.  |

27 ///

28 ///

1 **IT IS SO STIPULATED:**

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Date: January 20, 2011

LABOR LAW OFFICE, APC  
SAMUEL and SAMUEL

\_\_\_\_\_/S/\_\_\_\_\_  
MICHAEL L. CARVER/ PETER F. SAMUEL  
Attorneys for Plaintiffs,  
CHARLES L. JONES, et al.

Date: January 20, 2011

LITTLER MENDELSON, APC

\_\_\_\_\_/S/\_\_\_\_\_  
LAURA E. HAYWARD  
Attorney for Defendant,  
BOART LONGYEAR COMPANY.

**ORDER**

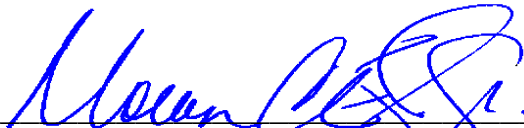
Good cause appearing, the pretrial scheduling order is amended as follows:

Non-Expert Discovery Cut Off:	June 20, 2011
Disclosure of Expert Witnesses:	August 30, 2011
Dispositive Motion Cut Off:	October 28, 2011

All other dates remain unchanged.

**IT IS SO ORDERED:**

Dated: January 26, 2011

  
\_\_\_\_\_  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE