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Attorneys for Plaintiffs  
Timothy Hediger and Lois Perez

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TIMOTHY HEDIGER and LOIS PEREZ,  
  
Plaintiffs,  
  
v.  
  
PRIDE INDUSTRIES, INC., and  
PRIDE INDUSTRIES ONE, INC.,  
  
Defendants.

2:09-cv-1858 GEB-GGH  
  
**STIPULATION AND ORDER  
REGARDING DISCOVERY  
DISPUTE**  
  
Date: December 20, 2012  
Time: 10:00 a.m.  
Court: Courtroom No. 9

Plaintiffs filed a notice of motion and motion seeking an order from the Court to compel Defendants to respond to discovery.

The parties submit this stipulation and proposed order to resolve this discovery dispute. If the Court signs the proposed order, Plaintiffs will withdraw their motion presently calendared for hearing on December 20, 2010.

**STIPULATION**

1. On or before December 17, 2012, Defendants shall fully respond, without objections, and produce the financial information and supporting documents requested in

1 Plaintiff Hediger's: Request for Production No. 31.

2 2. On or before December 17, 2012, Defendants shall fully respond, without  
3 objections, and produce the information and documents sought regarding Defendants'  
4 employees as requested in: Plaintiff Hediger's: Request for Admissions Nos. 5 - 7, 29 -  
5 31, 56; Interrogatories Nos. 16, 19 - 20; and Plaintiff Perez's Requests for Production Nos. 12  
6 - 13; and Interrogatories Nos. 18 -19, 22.

7 3. The information and documents produced in response to numbers 1 and 2,  
8 above, shall be produced and shall be treated in accordance with the Stipulation Re:  
9 Confidentiality of Discovery Pending Trial (filed concurrently as a separate order), which  
10 the parties have executed.

11 4. On or before December 17, 2012, Defendants shall also fully respond,  
12 without objections, and produce the information and documents sought by Plaintiffs as to  
13 which Defendants have previously stated: (1) that they cannot yet respond, (2) that they  
14 cannot yet admit or deny, or (3) that they will produce the requested information or  
15 documents but have not stated by when such information or documents will be produced.  
16 Defendants will respond and produce the information and documents as requested in  
17 Plaintiff Hediger's: Request for Admissions Nos. 11, 22 - 24, 50, 53 - 55, 59, 69, 71 - 72, 95 -  
18 100; Requests For Production Nos. 14 - 18, 20 - 21, 32 - 34; and Interrogatories Nos. 17 - 18; and  
19 Plaintiff Perez's Requests for Admissions Nos. 3 - 19, 39 - 43; and Interrogatories Nos. 4, 16, 17,  
20 20 - 21.

21 A. If Defendants fail to produce the information or documents requested,  
22 Defendants shall state that no such information or documents exist and Defendants shall  
23 be precluded from using any non-produced information or documents thereafter,  
24 including in any motion or trial.

25 IT IS SO STIPULATED.

26 Dated: December 5, 2012

/s/ Michael A. Hirst  
Michael A. Hirst, Esq.  
Hirst Law Group, P.C.  
Attorneys for Plaintiffs

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/s/ Michael A. Bishop  
Michael A. Bishop  
Matheny Sears Linkert & Jaime  
Attorneys for Defendants

IT IS SO ORDERED.

Dated: December 10, 2012

/s/ Gregory G. Hollows  
Honorable Gregory G. Hollows  
United States Magistrate Judge

GGH:076/Hediger1858.stip.wpd