

1 CAPTION ON FOLLOWING PAGE

2 William P. Torngren, State Bar No. 58493  
3 LAW OFFICES OF WILLIAM P. TORNGREN  
4 117 "J" Street, #300  
5 Sacramento, CA  
6 Tel: (916) 554-6447  
7 Fax: (916) 554-6445  
8 [torngren@torngrenlaw.com](mailto:torngren@torngrenlaw.com)

9 Scot D. Bernstein, State Bar No. 94915  
10 LAW OFFICES OF SCOT D. BERNSTEIN  
11 A Professional Corporation  
12 101 Parkshore Drive, Suite 100  
13 Folsom, California 95630  
14 Tel: (916) 447-0100  
15 Facsimile: (916) 933-5533  
16 [swampadero@sbernsteinlaw.com](mailto:swampadero@sbernsteinlaw.com)

17 Gail A. Glick, State Bar No. 174293  
18 ALEXANDER KRAKOW + GLICK LLP  
19 401 Wilshire Boulevard, Suite 1000  
20 Santa Monica, California 90401  
21 Tel: (310) 394-0888  
22 Fax: (310) 394-0811  
23 [glick@akllp.com](mailto:glick@akllp.com)

24 Attorneys for Plaintiff  
25 CARL R. WRIGHT

26 Rebecca D. Eisen, State Bar No. 96129  
27 Alison B. Willard, State Bar No. 268672  
28 Steven K. Ganotis, State Bar No. 234252  
MORGAN, LEWIS & BOCKIUS LLP  
One Market, Spear Street Tower  
San Francisco, CA 94105-1126  
Tel: 415.442.1000  
Fax: 415.442.1001  
[reisen@morganlewis.com](mailto:reisen@morganlewis.com)  
[awillard@morganlewis.com](mailto:awillard@morganlewis.com)  
[sganotis@morganlewis.com](mailto:sganotis@morganlewis.com)

29 Attorneys for Defendant  
30 RBC CAPITAL MARKETS CORPORATION

31

32

33

34

35

36

37

38

THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

4 CARL R. WRIGHT, on behalf of himself,  
5 all others similarly situated, the general  
public, and as an “aggrieved employee”  
6 under the California Labor Code Private  
Attorneys General Act

Plaintiff,

V.

9 RBC CAPITAL MARKETS  
10 CORPORATION, a corporation formerly  
11 doing business as RBC DAIN  
12 RAUSCHER INC., RBC DAIN  
RAUSCHER INC., RBC WEALTH  
MANAGEMENT; a division of RBC  
CAPITAL MARKETS CORPORATION,  
and DOES 1 through 50 inclusive,

## Defendants.

Case No. 2:09-cv-03601 FCD GGH

**JOINT STIPULATION AND ORDER  
EXTENDING TIME FOR DEFENDANT  
TO FILE ANSWER TO FIRST AMENDED  
COMPLAINT AND PARTIES TO FILE  
JOINT PRETRIAL SCHEDULING  
CONFERENCE STATEMENT BY 30 DAYS**

1  
2       Defendant RBC Capital Markets Corporation (“RBC”) and Plaintiff Carl R. Wright  
3 (“Wright”) (collectively, the “Parties”) submit the following Joint Stipulation and Proposed Order  
4 extending the time for RBC to file its Answer to Wright’s First Amended Complaint and the time  
5 for the Parties to file the Joint Pretrial Scheduling Conference Statement by thirty (30) days while  
6 the Parties attempt to reach an agreement settle this action in its entirety.

7       1. Wright filed this putative class and representative action in the Sacramento County  
8 Superior Court on November 17, 2009, alleging various violations of the California Labor Code.  
9 The action was removed to this Court on December 29, 2009 pursuant to the Class Action  
10 Fairness Act of 2005.

11       2. On January 29, 2010, RBC filed its partial motion to dismiss or stay Wright’s First  
12 Amended Complaint. RBC’s motion was heard on June 4, 2010. On June 24, 2010, this Court  
13 issued its Memorandum and Order (“Order”) staying Wright’s fourth claim for relief and related  
14 derivative claims and dismissing Wright’s first claim for relief and derivative claims under the  
15 first-to-file rule.

16       3. The Order provided that RBC would answer the remaining allegations in the First  
17 Amended Complaint within twenty (20) days of the Order and that the Parties would file a Joint  
18 Pretrial Scheduling Conference Statement within thirty (30) days of the Order.

19       4. Based in part on the narrowing of issues and claims following the Court’s Order,  
20 the Parties are now engaged in settlement discussions and believe that there is a potential to reach  
21 an agreement to resolve this action in its entirety within the next thirty (30) days.

22       5. In order to avoid unnecessary attorneys’ fees and costs associated with the  
23 preparation and filing of RBC’s Answer and the Joint Pretrial Scheduling Conference Statement  
24 and focus on resolving this action in a timely fashion, the Parties agree that the deadlines to file  
25 RBC’s Answer and the Joint Pretrial Scheduling Conference Statement should be extended by  
26 thirty (30) days each.

27       6. Accordingly, the Parties agree that the deadline for RBC to file its Answer to  
28 Wright’s First Amended Complaint should be extended by thirty (30) days. RBC’s Answer to the  
First Amended Complaint will be filed no later than August 13, 2010. The Parties further agree

1  
2 that the deadline to file the Joint Pretrial Scheduling Conference Statement will be extended by  
3 thirty (30) days. The Joint Pretrial Scheduling Conference Statement will be filed no later than  
4 August 23, 2010.

5 Dated: July 12, 2010

MORGAN, LEWIS & BOCKIUS LLP

6  
7 By *s/Steven K. Ganotis*

8 Alison B. Willard  
9 Steven K. Ganotis  
10 Attorneys for Defendants  
11 RBC CAPITAL MARKETS  
12 CORPORATION, RBC DAIN  
13 RAUSCHER INC., AND RBC WEALTH  
14 MANAGEMENT

15 Dated: July 12, 2010

LAW OFFICES OF WILLIAM P.  
16 TORNGREN

17 By *s/William P. Torngren*

18 William P. Torngren  
19 Attorneys for Wright  
20 CARL R. WRIGHT

21 **ORDER**

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23 The Parties having so stipulated, and GOOD CAUSE APPEARING THEREFORE, it is  
24 hereby ordered that the deadline for RBC to file its Answer to Wright's First Amended Complaint  
25 should be extended by thirty (30) days. RBC's Answer to the First Amended Complaint will be  
26 filed no later than August 13, 2010. The deadline for the Parties to file the Joint Pretrial  
27 Scheduling Conference Statement will be extended by thirty (30) days. The Joint Pretrial  
28 Scheduling Conference Statement will be filed no later than August 23, 2010.

Date: July 12, 2010



FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE