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22 Attorneys for Defendant
 23 **TRINITY PROTECTION SERVICES, INC.**

24 **UNITED STATES DISTRICT COURT**
 25 **EASTERN DISTRICT OF CALIFORNIA**
 26 **SACRAMENTO DIVISION**

27 MICHAEL P. LESSARD and ROBERT L.
 28 REAGAN for themselves and on behalf of all
 other similarly situated employees,

Plaintiffs,

v.

TRINITY PROTECTION SERVICES, INC. a
 Maryland corporation and DOES 1 through
 50, inclusive

Defendants.

Case No. 2:10-CV-01262-MCE-KJN

**JOINT STIPULATION AND ORDER TO
 CONTINUE TRIAL DATE AND ALL
 RELATED DATES**

1 IT IS HEREBY STIPULATED by and between Plaintiffs Michael P. Lessard and Robert L.
2 Reagan (“Plaintiffs”) and Defendant Trinity Protection Services, Inc. (“Defendant”) (collectively,
3 the “Parties”), by and through their respective counsel of record, as follows:

4 WHEREAS, on March 29, 2010, Plaintiffs commenced this action against Defendant
5 Trinity Protection Services, Inc. in the Superior Court of the State of California, County of San
6 Joaquin;

7 WHEREAS, on May 21, 2010, Defendant timely removed the action to this district;

8 WHEREAS, trial of this matter is currently set for April 9, 2012;

9 WHEREAS, the non-expert discovery deadline is currently set for June 9, 2011;

10 WHEREAS, on March 29, 2011 the Parties participated in a settlement conference presided
11 over by Judge Kendall J. Newman;

12 WHEREAS, in the course of the settlement conference counsel for Defendant first learned
13 of a related pending class action filed by Plaintiffs in the Superior Court of the State of California,
14 County of Alameda and removed to the United States District Court for the Northern District of
15 California;

16 WHEREAS, the Parties need to explore whether the related cases should be consolidated
17 and/or transferred to this district;

18 WHEREAS, the Parties wish to engage in further settlement discussions, including the
19 possibility of a global settlement encompassing the instant case and the related case pending in the
20 Northern District;

21 WHEREAS, the Parties have concurrently submitted to Magistrate Judge Kendall J.
22 Newman a joint stipulation and proposed order to continue the April 14, 2011 hearing on Plaintiffs’
23 pending Motions to Compel by sixty (60) days;

24 WHEREAS, in light of the aforementioned, the Parties believe that the trial date and all
25 related motion and discovery deadlines should be continued for at least sixty (60) days in order to
26 allow the Parties to address the consolidation issue and the opportunity to make a good faith effort
27 to settle the claims while reducing cost and expenditure of judicial resources; and

28 WHEREAS, no prior trial continuances have been requested by the Parties and the Parties

1 believe that the interest of justice would be served by a short continuance.

2 **THEREFORE, IT IS HEREBY STIPULATED** by and between Plaintiffs and
3 Defendant, through their respective counsel, as follows:

4 1 The trial date presently set for April 9, 2012 be continued for at least sixty (60) days
5 to allow the Parties to address the consolidation issue and to attempt to settle their dispute.

6 2. All applicable deadlines, including discovery and dispositive motion deadlines, shall
7 be continued accordingly and calculated from the new trial date.

8 DATED: April 1, 2011

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

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By: /s/ Danielle Ochs-Tillotson
Danielle Ochs-Tillotson
Carolyn B. Hall
Attorneys for Defendant Trinity Protection
Services, Inc.

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15 DATED: April 1, 2011

BACKSTROM & HEINRICHS

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By: /s/ S. Ward Heinrichs
S. Ward Heinrichs
Attorneys for Plaintiffs Michael P. Lessard
and Robert L. Reagan

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ORDER

Based on the foregoing Stipulation of the Parties, and good cause appearing therefor, it is hereby ORDERED that:

The trial date presently set for April 9, 2012 is continued to July 2, 2012 to allow the Parties to attempt to settle their dispute. Related deadlines will be calculated with reference to that new trial date and a comprehensive Amended Pretrial Scheduling Order will be forthcoming accordingly.

Dated: April 6, 2011


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE