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6 Attorneys for Defendants  
 7 GATAN, INC. and ROPER INDUSTRIES, INC.

8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, and  
 12 STATE OF CALIFORNIA, ex rel. BRENT  
 13 BAILEY, EMILY WADE, and RICHARD  
 14 ROE,

14 Plaintiffs,

15 v.

16 GATAN, INC., ROPER INDUSTRIES,  
 17 INC., and DOES 1 through 100, Inclusive,

17 Defendants.

Case No. 2:12-CV-0106 MCE CKD

**STIPULATION AND ORDER  
 CONTINUING DISCOVERY CUTOFF  
 AND OTHER DATES, AND STAYING  
 DISCOVERY**

20 **STIPULATION CONTINUING DISCOVERY CUTOFF AND OTHER DATES, AND**  
 21 **STAYING DISCOVERY**

22 Relators Brent Bailey and Emily Wade and Defendants Gatan, Inc. (“Gatan”) and  
 23 Roper Industries, Inc. (“Roper”) hereby stipulate to the following:

24 WHEREAS, the Court’s Amended Pretrial Scheduling Order, dated May 28, 2014  
 25 (Dckt. No. 46), set trial in this matter for August 31, 2015, and established other dates and deadlines  
 26 applicable to this case, including a deadline of October 31, 2014, for completion of non-expert  
 27 discovery and a deadline of April 30, 2015, for the hearing of dispositive motions.

28 CASE NO. 2:12-CV-0106 MCE CKD

STIPULATION AND [PROPOSED] ORDER  
 CONTINUING DISCOVERY CUTOFF AND  
 OTHER DATES, AND STAYING DISCOVERY

1           WHEREAS, on September 5, 2014, Defendants filed a Motion for Judgment on the  
2 Pleadings, or in the Alternative, Motion to Strike (“Motion for Judgment on the Pleadings”), which  
3 seeks dismissal of all or portions of Relators’ Complaint.

4           WHEREAS, the parties’ recognize that if the Court grants Defendants’ Motion for  
5 Judgment on the Pleadings, in whole or in part, this ruling could have a significant effect on the  
6 scope of discovery and the appropriate topics of discovery for both parties.

7           WHEREAS, the parties do not wish to burden the Court with unnecessary discovery  
8 motions or issues that may become moot or irrelevant based upon the Court’s ruling on the Motion  
9 for Judgment on the Pleadings.

10           WHEREAS, the parties wish to stay discovery pending the Court’s ruling on  
11 Defendants’ Motion for Judgment on the Pleadings, to avoid incurring additional burden and  
12 expense of discovery that may be rendered unnecessary by the Court’s ruling.

13           NOW, THEREFORE, the parties stipulate and respectfully request that the Court  
14 order the following:

15           1.       All dates and deadlines established in the Court’s May 28, 2014 Amended  
16 Pretrial Scheduling Order shall be continued at least six months.

17           2.       The parties shall stay all discovery until the Court issues an order on  
18 Defendants’ Motion for Judgment on the Pleadings, or until a date 60 days before the new non-  
19 expert discovery deadline established by this Stipulation and Order, whichever date is earlier.  
20 During the stay, the parties will postpone all pending discovery requests, depositions, meet and  
21 confer efforts, and discovery conferences, and will not engage in any new discovery.

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Dated: September \_\_\_\_, 2014

By: \_\_\_\_\_  
ERIC C. BELLAFRONTO  
NICOLAS T. KELSEY  
LITTLER MENDELSON, P.C.  
Attorneys for Defendants  
GATAN, INC. and ROPER INDUSTRIES,  
INC.

Dated: September \_\_\_\_, 2014

By: \_\_\_\_\_  
DANIEL BARTLEY  
BARTLEY LAW OFFICES  
Attorney for Relators  
BRENT BAILEY and EMILY WADE

**ORDER**

Pursuant to the above stipulation, the Court's May 28, 2014, Amended Pretrial Scheduling Order (ECF No. 46) is VACATED. A Second Amended Pretrial Scheduling Order will be forthcoming.<sup>1</sup>

The parties SHALL stay all discovery until the Court issues an order on Defendants' Motion for Judgment on the Pleadings (ECF No. 56), or until a date 60 days before the new non-expert discovery deadline established by this Stipulation and Order, whichever date is earlier. As set forth above, during the stay, the parties will postpone all pending discovery requests, depositions, meet and confer efforts, and discovery conferences, and will not engage in any new discovery.

IT IS SO ORDERED.

Dated: September 30, 2014

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

<sup>1</sup> The parties are advised to scrupulously review the forthcoming amended scheduling order as the dates may not be the same as those requested by the parties due to other matters on the Court's calendar.