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7
 8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10 SANDY BELL and MARTIN GAMA,
 11 individually, and on behalf of other
 12 members of the general public
 13 similarly situated, and as aggrieved
 employees pursuant to the Private
 Attorneys General Act (“PAGA”),

14 Plaintiffs,

15 v.

16 HOME DEPOT U.S.A., INC., a
 Delaware corporation; JOHN
 17 BROOKS, an individual; and DOES 1
 through 10, inclusive,

18 Defendants.

19
 20 MICHAEL HENRY, on behalf of
 himself, all others similarly situated,
 21 and the general public,

22 Plaintiff,

23 v.

24 HOME DEPOT U.S.A., INC., a
 Delaware corporation; and DOES 1-
 25 50, inclusive,

26 Defendants.

Case No. 2:12-cv-02499-JAM-CKD

[Assigned for All Purposes to Hon. John A. Mendez]

**STIPULATION AND ORDER TO
 TEMPORARILY STAY ACTION
 PENDING MEDIATION**

1 **STIPULATION AND [PROPOSED] ORDER**

2 Plaintiffs Sandy Bell, Martin Gama, and Michael Henry and defendant Home
3 Depot U.S.A., Inc., hereby enter into this stipulation based on the following facts and
4 circumstances:

5 1. On September 12, 2016, the Court issued an order consolidating *Bell v.*
6 *Home Depot U.S.A., Inc.*, No. 2:12-cv-024099-JAM-CKD and *Henry v. Home Depot*
7 *U.S.A., Inc.*, No. 2:16-CV-02102-MCE-AC, before Judge John A. Mendez and setting
8 the following dates relating to class notice:

- 9 a. October 3, 2016 – Deadline for parties to lodge proposed class notice;
10 b. October 10, 2016 – Deadline for parties to submit competing versions of
11 class notice if parties cannot agree on content of class notice;
12 c. October 17, 2016 – Deadline for defendant to send class list to class
13 counsel;
14 d. October 24, 2016 – Deadline for Court to approve class notice;
15 e. November 14, 2016 – Deadline for class notice to be mailed to class
16 members.

17 2. The parties have agreed to participate in mediation to explore resolving the
18 case without the time and expense of further discovery and litigation. To this end, the
19 parties have scheduled a mediation for January 18, 2017 with mediator David Rotman.

20 3. In order to provide the parties with adequate time to mediate the claims and
21 facilitate resolution of this matter without the expenditure of additional time and
22 resources on discovery and motion practice, the parties agree that the Court should
23 temporarily stay the action. *See, e.g., Arrival Star, S.A. v. Blue Sky Network, LLC*, No.
24 CV 11-4480 SBA, 2012 WL 588806, at *1-2 (N.D. Cal. Feb. 22, 2012) (action stayed
25 pending mediation to avoid needless discovery expense and promote judicial economy);
26 *Maxon v. Jefferson Pilot Securities Corp.*, No. C 01-02668 CRB, 2002 WL 523575, at
27 *1-2 (N.D. Cal. Apr. 2, 2002) (same).

1 Dated: October 10, 2016

SETAREH LAW GROUP

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4 By /s/ Shaun Setareh
Shaun Setareh
5 Attorneys for plaintiff MICHAEL HENRY
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