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8 Attorneys for Plaintiffs

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 10 **UNITED STATES DISTRICT COURT**
 11 **EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO**

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 13 JESUS DE LEON, JOSE DE JESUS URZUA,
 RUBEN GALLO, RUBEN GALLO JR.,
 14 JUAN MANUEL GALLO, CRECENSIO
 SANCHEZ, ALEJANDRO ROMO
 15 MORALES, JOSE ROBERTO SANTOS
 CASTRO, VICENTE SANTOS CASTRO,
 16 RICARDO TRUJILLO, LUIS GALLO, and
 MELKISEDEC BARRERA, on behalf of all
 similarly situated individuals,

17 Plaintiffs,

18 vs.

19 BURKETT’S POOL PLASTERING, INC.,
 20 ROBERT BURKETT, and MATTHEW
 WINDORSKI

21 Defendants.

Case No. 2:12-cv-02740

**[PROPOSED] ORDER RE:
 PLAINTIFFS’ MOTION TO COMPEL
 DEPOSITIONS AND PRODUCTION OF
 DOCUMENTS**

Complaint Filed: November 6, 2012
 Trial Date: August 31, 2015

Date: November 12, 2014
 Time: 10:00 a.m.
 Place: Courtroom 8, 13th floor
 Robert T. Matsui United States Courthouse
 501 I Street
 Sacramento, CA 95814

1 On November 12, 2014 at 10:00 a.m. a hearing was held on Plaintiffs' Motion to Compel
2 Depositions and Documents in this action.

3 The Court having read and considered the papers on the motion, the arguments of
4 counsel, and the law, and good cause appearing it is hereby ORDERED that:

5 1. The discovery cut-off date for completion of fact discovery in this matter is
6 continued from November 13, 2014 to January 13, 2015.

7 2. Defendant Matthew Windorski must be produced for deposition.

8 3. Defendant Burkett's Pool and Plastering, Inc. ("Burkett's") must produce the
9 following individuals, with the same or similar sounding names, for deposition if they are
10 currently employed by Burkett's: Bruce Shield, Jeff Steely, Mike Santos, Rick Screeknore and
11 Jeremy Sparks. Should individuals by these or similar sounding names no longer be employed
12 by Burkett's, Burkett's must promptly provide the last known contact information for said
13 individuals.

14 4. Plaintiffs may subpoena Randy Bradshaw and Randy Shudoks (or individuals
15 with similar sounding names) for deposition prior to January 13, 2015. Defendants are ordered
16 to promptly produce the last known contact information for these individuals or individuals with
17 similar sounding names.

18 5. As for plaintiffs' Motion to Compel Production of Documents Nos. 1-12 (see
19 Doc. 58), the court is inclined to grant the motion and require defendants to produce documents
20 responsive to the discovery request, which was first served on June 18, 2013, and again
21 requested on June 4, 2014. However, defendants' counsel argued at the hearing that there has
22 not been a full meet and confer on the matter of any privileges or other objections that may have
23 been asserted in a timely response. The court will therefore permit the attorneys to complete the
24 meet and confer process as to those documents to determine whether there remains a genuine
25 dispute over a timely-preserved privilege (including a timely-produced privilege log). Likewise,
26 the attorneys may address in that meet and confer process any other timely preserved objections.

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1 If the parties continue to have an unresolved dispute as to any documents, they shall
2 complete a joint statement pursuant to E.D. Cal. L.R. 251. The meet and confer shall be
3 completed, and the joint statement filed, by no later than November 19, 2014. Should a dispute
4 arise, a hearing on the matter shall be noticed for December 10, 2014.

5 6. The deposition ordered herein shall be scheduled to begin no later than December
6 8, 2014, provided that no disputes regarding the document production remain unresolved.

7 7. Plaintiffs' motion for sanctions is denied without prejudice to being renewed
8 upon completion of the meet and confer process as to the documents requested.

9 DATED: November 14, 2014.

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11 EDMUND F. BRENNAN
12 UNITED STATES MAGISTRATE JUDGE
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