1 2 3 4 5	Mark H. Van Brussel, State Bar No. 80777 mvanbrussel@cdflaborlaw.com Jeremy T. Naftel, State Bar No. 185215 jnaftel@cdflaborlaw.com CAROTHERS DISANTE & FREUDENBE 900 University Avenue Suite 200 Sacramento, California 95825 Telephone: (916) 361-0991 Facsimile: (916) 570-1958	RGER LLP		
7	Attorneys for Defendants BURKETT'S POOL PLASTERING, INC., ROBERT BURKETT and MATTHEW WINDORSKI			
9 10 11 12 13	Stan S. Mallison, State Bar No. 184191 MALLISON & MARTINEZ 1939 Harrison Street, Suite 730 Oakland, California 94549 Telephone: 510-832-9999 Facsimile: 510-832-1101 Attorneys for Plaintiffs			
14	UNITED STATES DISTRICT COURT			
15	EASTERN DISTRICT OF CALIFORNIA			
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17 18 19 20 21 22 23 24 25 26	JESUS DE LEON, JOSE DE JESUS URZUA, RUBEN GALLO, RUBEN GALLO, JR., JUAN MANUEL GALLO, CRECENSIO SANCHEZ, ALEJANDRO ROMO MORALES, JOSE ROBERTO SANTOS CASTRO, VICENTE SANTOS CASTRO, RICARDO TRUJILLO, LUIS GALLO, and MELKISEDEC BARRERA, on behalf of all similarly situated individuals, Plaintiffs, vs. BURKETT'S POOL PLASTERING, INC., ROBERT BURKETT, and MATTHEW WINDORSKI, Defendants.	Case No. 2:12-CV-02740-TLN-EFB STIPULATION TO STAY ACTION; ORDER Action Filed: November 6, 2012		
17 18 19 20 21 22 23 24 25	URZUA, RUBEN GALLO, RUBEN GALLO, JR., JUAN MANUEL GALLO, CRECENSIO SANCHEZ, ALEJANDRO ROMO MORALES, JOSE ROBERTO SANTOS CASTRO, VICENTE SANTOS CASTRO, RICARDO TRUJILLO, LUIS GALLO, and MELKISEDEC BARRERA, on behalf of all similarly situated individuals, Plaintiffs, vs. BURKETT'S POOL PLASTERING, INC., ROBERT BURKETT, and MATTHEW WINDORSKI,	STIPULATION TO STAY ACTION; ORDER		

1		<u>RECITALS</u>		
2	A.	This matter is set to begin trial on August 31, 2015, with a Final Pretrial		
3	Conference set for June 18, 2015.			
4	В.	Plaintiffs and Defendants ("the parties") have filed cross motions for		
5	partial summary judgment scheduled to be heard on May 7, 2015.			
6	C.	The parties have participated in mediation and have reached a settlement		
7	of all claims and issues presented by the above-titled lawsuit.			
8	D.	The parties wish to stay all proceedings in this matter pending the		
9	finalization of their settlement in writing in order to avoid spending the Court's time			
10	and their own on motions, hearings and deadlines that will be rendered moot once the			
11	settlement is consummated.			
12	STIPULATION			
13	NOW, THEREFORE, in consideration of the foregoing, the parties hereby			
14	stipulate to the following:			
15	1.	That all proceedings in this matter shall be stayed, effective April 30,		
16	2015;			
17	2.	That the parties will devote their efforts to finalizing settlement;		
18	3.	That the parties' cross motions for partial summary judgment, set for		
19	hearing on May 7, 2015, shall be taken off calendar;			
20	4.	That the parties shall finalize their settlement and shall, by May 13,		
21	2015, file with the Court a stipulation to dismiss the action;			
22	5.	That if the parties do not, by May 13, 2015, file a stipulation of		
23	dismissal or a stipulation for further extension of the stay, then the Court may lift the			
24	stay and restore the matter to the status quo ante;			
25	6.	That if the stay is lifted, the parties' cross motions for partial summary		
26	judgment, currently set for May 7, 2015, shall be restored to the Court's calendar and			
27	set for hearing on June 04, 2015 at 2:00 p.m.			
28				
		1 STIPULATION TO STAY ACTION; ORDER		

1	7. That Defendants preserve all objections to the timeliness of Plaintiffs'		
2	motion for partial summary judgment and to the timeliness of Plaintiffs' opposition		
3	to Defendants' motion for partial summary judgment.		
4			
5	Dated: April 29, 2015	CAROTHERS DISANTE & FREUDENBERGER LLP	
6		LLI	
7		By: /s/Mark H. Van Brussel	
8		Mark H. Van Brussel	
9		Attorneys for Defendants BURKETT'S POOL PLASTERING, INC., ROBERT BURKETT and MATTHEW	
10		WINDORSKI	
11	D . 1 . 4 . 11.20 . 20.15		
12 13	Dated: April 29, 2015	MALLISON & MARTINEZ	
14			
15		By: /s/Stan S. Mallison	
16		Stan S. Mallison Attorneys for Plaintiffs	
17		JESUS DE LEON, et al.	
18			
19			
20	IT IS SO ORDERED		
21			
22	Dated: May 1, 2015		
23		Wy Hunley	
24		Troy L. Nunley	
25		United States District Judge	
26			
27			
28			
		2 STIPULATION TO STAY ACTION; ORDER	