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17	SALVADOR ROBLES	
18	UNITED STATES	DISTRICT COURT
19	EASTERN DISTRIC	CT OF CALIFORNIA
20	SALVADOR ROBLES, individually and on behalf of others similarly situated,	Case No. 2:13-CV-00161-JAM-AC
21	•	CLASS ACTION
22	Plaintiffs,	STIPULATION AND ORDER RE: DISCOVERY DEADLINES
23		DISCOVERY DEADLINES
24	COMTRAK LOGISTICS, INC., a Delaware corporation; and DOES 1 through 10,	
25	inclusive,	
26	Defendants.	
27		
28		
	STIPULATION AND [PROPOSED] OF	RDER RE: DISCOVERY DEADLINES Case No. 2:13-CV-00161-JAM-AC
	15736849v.1	

1	STIPULATION	
2	WHEREAS, pursuant to the April 23, 2013, Stipulation and Order, entered by this Court	
3	as docket number 23, the deadline for Defendant to file a Motion to Dismiss Plaintiff's First	
4	Amended Complaint was June 3, 2013;	
5	WHEREAS, Defendant filed its Motion to Dismiss Plaintiff's First Amended Complaint	
6	on June 3, 2013, with a noticed hearing date of July 24, 2013;	
7	WHEREAS, Plaintiff served written discovery, including special interrogatories and	
8	requests for production of documents, to Defendant by United States mail on May 2, 2013;	
9	WHEREAS, in order to preserve the parties' and the Court's resources until this Court	
10	hears Defendant's Motion to Dismiss Plaintiff's First Amended Complaint, the parties have	
11	agreed to a temporary stay on discovery and have reached the following agreement, each subpart	
12	below being material and necessary to the entire agreement;	
13	THEREFORE, the parties, through their respective counsel of record, agree to stipulate	
14	that:	
15	(a) The parties agree that they will not serve or propound any additional discovery	
16	until, at the earliest, the day after the Court issues its Order on Defendant's Motion to Dismiss	
17	Plaintiff's First Amended Complaint;	
18	(b) All existing discovery is stayed and the discovery deadlines on the existing	
19	discovery are extended to thirty (30) days after the date that this Court issues its Order regarding	
20	Defendant's Motion to Dismiss Plaintiff's First Amended Complaint;	
21	(c) Defendant agrees that it will produce the name, last known address, phone	
22	number, and dates of affiliation with Defendant of all owner-operators that fall within Plaintiff's	
23	proposed class definition (as stated in the First Amended Complaint) within thirty (30) days after	
24	the date that this Court issues its Order regarding Defendant's Motion to Dismiss Plaintiff's First	
25	Amended Complaint, assuming the Court's order does not dismiss the class claims; and	
26	(d) The parties agree that Defendant's production of the contact information for the	
27	group of owner-operators alleged in the proposed class definition in Plaintiff's First Amended	
28		
	STIPULATION AND [PROPOSED] ORDER RE: DISCOVERY DEADLINES Case No. 2:13-CV-00161-JAM-AC	

1	Complaint, does not constitute a concession or admission that class certification is appropriate or	
2	that further class discovery is appropriate. Defendant reserves the right to object to further pre-	
3	class certification discovery and to oppose class certification notwithstanding this stipulation.	
4	IT IS SO STIPULATED.	
5		
6		
7	Dated: July 8, 2013 SEYFARTH SHAW LLP	
8		
9	By: <u>/s/ Timothy B. Nelson</u> Thomas J. Piskorski	
10	Brandon R. McKelvey Timothy B. Nelson	
11	Attorneys for Defendant COMTRAK LOGISTICS, INC.	
12		
13	Dated: July 8, 2013 MARLIN & SALTZMAN, LLP	
14		
15	By: /s/ Christina A. Humphrey	
16	Christina A. Humphrey Attorneys for Plaintiff	
17	SALVADOR ROBLES	
18	ODDED	
19	ORDER Dursuant to the stimulation of the particle and good equal approxima therefore. IT IS SO	
20	Pursuant to the stipulation of the parties and good cause appearing therefore, IT IS SO ORDERED.	
21		
22	DATED: July 8, 2013	
23	/s/ John A. Mendez	
24	John A. Mendez UNITED STATES DISTRICT COURT	
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28	2 STIDULATION AND IPPOPOSEDLOPDED DES DISCOVEDY DEA DUNIES	
	STIPULATION AND [PROPOSED] ORDER RE: DISCOVERY DEADLINES Case No. 2:13-CV-00161-JAM-AC	
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