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16 Attorneys for Plaintiff  
 17 ED WHITAKER

18 UNITED STATES DISTRICT COURT  
 19 EASTERN DISTRICT OF CALIFORNIA

21 ED WHITAKER,  
 22 Plaintiff,  
 23 v.

24 COSTCO WHOLESALE CORPORATION  
 and DOE ONE through and including DOE  
 25 TEN, inclusive,  
 26 Defendants.

Case No. 2:13-CV-00668-JAM-EFB

**STIPULATION AND ORDER  
 REGARDING AGREED UPON  
 DISCOVERY**

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1 Plaintiff Ed Whitaker and Defendant Costco Wholesale Corporation hereby stipulate as  
2 follows:

3 **WHEREAS**, Plaintiff's claims were originally pending before the Central District of  
4 California as part of Velazquez v. Costco Wholesale Corporation, Central District Case No. CV  
5 11-00508 JVS (RNBx);

6 **WHEREAS**, pursuant to a Stipulation reached by the parties, the Velazquez court  
7 ordered that Plaintiff's claims be transferred to the Eastern District before discovery was  
8 complete;

9 **WHEREAS**, the Parties desire to conduct limited additional discovery before trial.

10 **THEREFORE**, the parties hereby agree and stipulate that:

- 11 1. Plaintiff may depose Alan Caito, Randy Takeshita and Terry Fuller;
- 12 2. Defendant may continue the deposition of Plaintiff for up to two hours;
- 13 3. There will be no further written discovery, and;
- 14 4. The parties request a trial date between June 2014 and October 2014, if that suits

15 the Court.

16 **IT IS SO STIPULATED.**

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DATED: October 22, 2013

Respectfully submitted,  
SEYFARTH SHAW LLP

By: /s/ Mark P. Grajski  
Mark P. Grajski  
Attorneys for Defendant  
COSTCO WHOLESALE CORPORATION

DATED: October 22, 2013

HARRIS & RUBLE

By: /s/ David Zelenski  
Alan Harris  
David Zelenski  
Attorneys for Plaintiff  
ED WHITAKER

**IT IS SO ORDERED:**

Dated: 10/22/2013

/s/ John A. Mendez  
UNITED STATES DISTRICT JUDGE