

1 Bryan J. McCormack
 2 MCCORMACK AND ERLICH, LLP
 3 150 Post Street, Suite 742
 4 San Francisco, California 94108
 5 Tel: 415.296.8420
 6 Fax: 415.296.8552
 7 bryan@mcelawfirm.com
 8 Attorneys for Plaintiffs
 9 *Leland Lennean and Narvell Henry, Sr.*

10 CONOR P. FLYNN
 11 ARMSTRONG TEASDALE LLP
 12 3770 Howard Hughes Pkwy, Ste. 200
 13 Las Vegas, Nevada 89169
 14 Telephone: 702.678.5070
 15 Facsimile: 702.878.9995
 16 cflynn@armstrongteasdale.com

17 JOHN P. HASMAN
 18 ARMSTRONG TEASDALE LLP
 19 7700 Forsyth Blvd., Suite 1800
 20 St. Louis, Missouri 63105
 21 Telephone: 314.621-5070
 22 Facsimile: 314.621.5065
 23 jhasman@armstrongteasdale.com
 24 Attorneys for Defendants
 25 *Diamond Pet Food Processors of California,*
 26 *LLC, and Diamond Pet Food Processors of*
 27 *Ripon, LLC, Schell & Kampeter, Inc., d/b/a*
 28 *Diamond Pet Foods*

**UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA**

LELAND LENNEAN and
 NARVELL HENRY, SR.,

Plaintiffs,

v.

DIAMOND PET FOOD PROCESSORS
 OF CALIFORNIA, LLC, et al.

Defendants.

CASE NO. 2:13-CV-01871-TLN-DAD

**JOINT STIPULATION TO AMEND
 SCHEDULING ORDER AND ORDER**

1 Plaintiffs and Defendants, by and through their counsel, hereby stipulate and respectfully
2 request that the Court amend the Pretrial Scheduling Order (Doc. #16) to specifically include
3 Section IV.

4 I. GOOD CAUSE EXISTS TO AMEND THE PRETRIAL SCHEDULING ORDER

5 On January 15, 2015 and January 22, 2015 the Defendants filed Motions for Summary
6 Judgment and a Motion to Dismiss as to the claims of Henry and Lennear. (Doc #25-36) The two
7 motions for summary judgment and the motion to dismiss are currently set for hearing on
8 February 26, 2015. Section IV of the Pretrial Scheduling Order indicates that all dispositive motions
9 shall be heard no later than March 12, 2015.

10 The parties have agreed to mediation and attempt to completely resolve the case for the
11 benefit of the parties and the Court. The mediation is currently set for March 2, 2015. As such, the
12 parties have stipulated to continue the three motions to a date after the mediation, but before April 23,
13 2015. Based on such stipulation, the parties agree that Plaintiffs' oppositions to the motions will be
14 due based on the continued motion dates, rather than the current deadline of February 12, 2015.
15 Based on such stipulation, Plaintiffs do not intend to file their oppositions by the current deadline.
16 Defendants intend to ask the Court to reschedule the current hearing date on these motions to a date
17 on or before April 23, 2015 if this order is signed by the Court.

18 II. RELIEF SOUGHT

19 The parties hereby request to have the Pretrial Scheduling Order amended and the Motion
20 Hearing Schedule deadline moved from March 12, 2015 to April 23, 2015 so the parties can attempt
21 to mediate and possibly resolve the case.

22 SO STIPULATED

1 Date: February 11, 2015

2 MCCORMACK AND ERLICH, LLP

ARMSTRONG TEASDALE LLP

3
4 By: /s/ Bryan J. McCormack

5 Bryan J. McCormack
6 150 Post Street, Suite 742
7 San Francisco, California 94108
8 Tel: 415.296.8420
9 Fax: 415.296.8552
10 bryan@mcclawfirm.com

By: /s/ John P. Hasman

John P. Hasman
7700 Forsyth Boulevard, Suite 1800
St. Louis, Missouri 63105
Telephone: 314.621.5070
Facsimile: 314.621.5065
jhasman@armstrongteasdale.com

11 ATTORNEYS FOR PLAINTIFFS

and

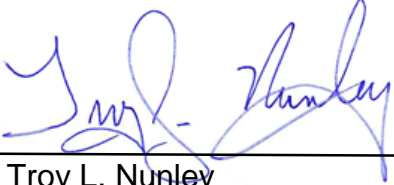
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
Conor P. Flynn
3770 Howard Hughes Pkwy, Ste. 200
Las Vegas, NV 89169
Telephone: 702.678.5070
Facsimile: 702.878.9995
cflynn@armstrongteasdale.com

ATTORNEYS FOR DEFENDANTS

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the Pretrial Scheduling Order be amended and the Motion Hearing Schedule deadline be moved from March 12, 2015 to April 23, 2015.

Dated: February 12, 2015



Troy L. Nunley
United States District Judge