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Attorneys for Defendant  
AT&T DIGITAL LIFE, INC.

10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA

13 RAMSES GUTIERREZ, et. al. individually, and  
14 on behalf of all others similarly situated,

15 Plaintiff,

16 v.

17 CARTER BROTHERS SECURITY SERVICES,  
18 LLC., AT&T DIGITAL LIFE, INC.; and DOES 1  
19 through 10, inclusive,  
20 Defendants.

CASE NO. 14-CV-00351-MCE-CKD

**JOINT STIPULATION AND ORDER  
REGARDING SCHEDULING ORDER**

ACTION FILED: March 10, 2014  
JUDGE: Hon. Morrison C. England

21 Plaintiffs and Defendant AT&T Digital Life, Inc. (“AT&T”) (collectively with Plaintiffs, the  
22 “Parties”), by and through their respective counsel of record, hereby stipulate as follows:

23 WHEREAS, on August 19, 2014, Plaintiffs filed a Motion to Conditionally Certify FLSA  
24 Collective Action (Dkt 54);

25 WHEREAS, on November 24, 2014, Defendant Carter Brothers Security Services, LLC filed a  
26 Notice of Interlocutory Appeal with the Ninth Circuit (Dkt 65) resulting in a stay on Plaintiffs’ Class  
27 Certification Motion;

28 WHEREAS, on March 20, 2015, the Court denied without prejudice to refileing Plaintiffs’ Class

1 Certification Motion given the length of time Plaintiffs' certification request was pending while stayed  
2 because of Carter Brothers' interlocutory appeal to the Ninth Circuit, and for purposes of managing its  
3 own docket (Dkt 68);

4 WHEREAS, on March 30, 2017, Plaintiffs filed a Renewed Motion to Conditionally Certify  
5 FLSA Collective Action (Dkt 79);

6 WHEREAS, on October 5, 2017, this Court denied without prejudice to renewal Plaintiffs'  
7 Motion to Conditionally Certify FLSA Collective Action (ECF No. 80) given that judgment was ordered  
8 against Defendant Carter Brothers Security Services, LLC (Dkt 103);

9 WHEREAS, on October 16, 2017, the Parties filed a Joint Status Report (Dkt 104);

10 WHEREAS, on November 28, 2017, this Court entered a supplemental scheduling order (Dkt  
11 105);

12 WHEREAS, on July 10, 2018, Defendant Carter Brothers Security Services, LLC, filed for  
13 Chapter 7 bankruptcy protection in the United States Bankruptcy Court for the Northern District of  
14 Georgia, Case number 18-61490-pwb, noticing Plaintiffs and Defendant AT&T Digital Life Inc. as  
15 creditors;

16 WHEREAS, on July 18, 2018, this Court entered a Minute Order referring this matter to the  
17 Court's Voluntary Dispute Resolution Program (Dkt. 109);

18 WHEREAS, on August 24, 2018, the Parties informed the Court that they were currently  
19 engaged in settlement discussions and that they would report to the Court regarding the status of the  
20 matter and the settlement discussions by November 26, 2018;

21 WHEREAS, on November 26, 2018, the Parties informed the Court that they were still engaged  
22 in settlement discussions and that they would report to the Court regarding the status of the matter and  
23 the settlement discussions by January 29, 2019;

24 WHEREAS, the Parties are still engaged in settlement discussions and wish to amend the Court's  
25 scheduling order to allow additional time and resources on concentrated settlement discussions to try to  
26 resolve the case;

27 WHEREAS, the Parties agree to report to the Court regarding the status of the matter and  
28 settlement discussions by January 29, 2019;

1 NOW THEREFORE, the Parties hereby stipulate, subject to the approval of this Court, that:

2 1. The November 28, 2017, supplemental scheduling order (Dkt 105) is vacated pending  
3 the Parties' settlement discussions; and

4 2. The Parties will file a Joint Status Report on or before January 29, 2019, regarding the  
5 status of settlement discussions and a proposed amendment to the scheduling order.

6  
7 **IT IS SO STIPULATED.**

8 Dated: December 10, 2018

GIBSON, DUNN & CRUTCHER LLP

9  
10 By: /s/ Katherine V.A. Smith, as auth. On 12/10/18  
Katherine V.A. Smith

11  
12 Attorneys for Defendant AT&T Digital Life, Inc.

13 Dated: December 10, 2018

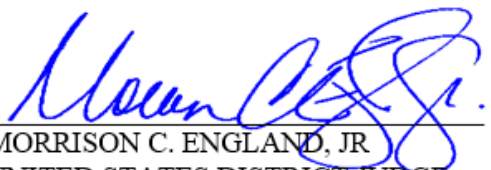
ROSE LAW, A PROF. CORP.

14  
15 By: /s/ Joseph W. Rose  
Joseph W. Rose

16  
17 Attorneys for Plaintiff

18 **IT IS SO ORDERED.**

19  
20 Dated: December 30, 2018

21  
22   
23 MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE