

1 (Counsel listed on next page)

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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8 CHRIS GONZALEZ, an individual

No. 2:14-cv-01963-JAM-EFB

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Plaintiff,

Related to Nos.:

10

vs.

2:13-cv-02439-JAM-EFB

2:14-cv-01960-JAM-EFB

2:14-cv-01963-JAM-EFB

1:15-cv-01748-JAM-EFB

1:15-cv-01872-JAM-EFB

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12 RITE AID CORPORATION, and DOES 1
through 50, inclusive,

1:15-cv-01874-JAM-EFB

2:15-cv-02150-JAM-EFB

2:15-cv-02396-JAM-EFB

2:15-cv-02597-JAM-EFB

2:16-cv-00174-JAM-EFB

2:16-cv-00211-JAM-EFB

2:16-cv-01028-JAM-EFB

2:17-cv-01527-JAM-EFB

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Defendants.

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**STIPULATION TO PROCEED BY BENCH TRIAL
OF ALL CLAIMS**

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Judge: Hon. John A. Mendez
Trial Date: October 23, 2017

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STIPULATION TO PROCEED BY BENCH TRIAL
OF ALL CLAIMS
U.S.D.C., E.D. Cal., No. 2:14-cv-01961-JAM-EFB

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STIPULATION TO PROCEED BY BENCH TRIAL
OF ALL CLAIMS
U.S.D.C., E.D. Cal., No. 2:14-cv-01961-JAM-EFB

1 Plaintiffs Bruce Kaufman and Chris Gonzalez and defendant Rite Aid Corporation (“Rite Aid”),
2 by and through their respective counsel, hereby request that the Court enter an order providing that the
3 consolidated trial in *Kaufman v. Rite Aid Corp.*, No. 2:14-cv-01961, and *Gonzalez v. Rite Aid*, No. 2:14-
4 cv-01963, will proceed as a bench trial, and in support of that request stipulate as follows:

5 1. Plaintiff Kaufman filed his complaint in the Superior Court of California, County of
6 Sacramento (“Sacramento Superior Court”), on August 29, 2013. Neither in his complaint, nor
7 thereafter, did plaintiff Kaufman demand a jury trial.

8 2. On October 15, 2013, Rite Aid filed an answer to plaintiff Kaufman’s complaint in
9 Sacramento Superior Court, whereby it initially demanded a jury trial.

10 3. Plaintiff Gonzalez filed his complaint in Sacramento Superior Court on October 25, 2013.
11 Neither in his complaint, nor thereafter, did plaintiff Gonzalez demand a jury trial.

12 4. On December 19, 2013, Rite Aid filed an answer to plaintiff Gonzalez’s complaint in
13 Sacramento Superior Court, whereby it initially demanded a jury trial.

14 5. Trial in *Kaufman* and *Gonzalez* is currently scheduled to begin October 23, 2017 (ECF
15 46).

16 6. The parties have conferred and, for purposes of the *Kaufman* and *Gonzalez* matters only,
17 Rite Aid has agreed to withdraw its demands for jury trials. This stipulation does not address any other
18 consolidated case pending before this Court.

19 7. Accordingly, the parties respectfully request that the Court enter an order providing that
20 the trial will proceed on October 23, 2017, as a bench trial of all of plaintiffs Kaufman’s and Gonzalez’s
21 claims

22 This stipulation is filed by Justin M. Scott. All other signatories listed, and on whose behalf the
23 filing is submitted, concur in the filing’s content and have authorized this filing.

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Dated: August 23, 2017.

MATTHEW RIGHETTI
JOHN GLUGOSKI
MICHAEL RIGHETTI
RIGHETTI GLUGOSKI, P.C.

By: /s/ Michael Righetti
 Michael Righetti
 Attorneys for Plaintiffs
 Bruce Kaufman and Christopher Gonzalez

Dated: August 23, 2017.

JEFFREY D. WOHL
JUSTIN M. SCOTT
ANDREA B. DICOLEN
PAUL HASTINGS LLP

By: /s/ Justin M. Scott
 Justin M. Scott
 Attorneys for Defendant
 Rite Aid Corporation

1 (Counsel listed on next page)

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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF CALIFORNIA

7
8 BRUCE KAUFMAN, an individual

9 Plaintiff,

10 vs.

11 RITE AID CORPORATION, and DOES 1
12 through 50, inclusive,

13 Defendants.

No. 2:14-cv-01963-JAM-EFB

Related to Nos.:

2:13-cv-02439-JAM-EFB
2:14-cv-01960-JAM-EFB
2:14-cv-01963-JAM-EFB
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1:15-cv-01872-JAM-EFB
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2:15-cv-02597-JAM-EFB
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2:16-cv-00211-JAM-EFB
2:16-cv-01028-JAM-EFB
2:17-cv-01527-JAM-EFB

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15
16 **ORDER GRANTING STIPULATION TO
17 PROCEED BY BENCH TRIAL OF ALL CLAIMS**

18 Judge: Hon. John A. Mendez
19 Trial Date: October 23, 2017

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ORDER GRANTING STIPULATION TO PROCEED
BY BENCH TRIAL OF ALL CLAIMS
U.S.D.C., E.D. Cal., No. 2:14-cv-01961-JAM-EFB

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1 On the stipulation of the parties, and good cause appearing therefor,

2 IT IS ORDERED that the trial scheduled for October 23, 2017, in *Kaufman v. Rite Aid Corp.*,
3 No. 2:14-cv-01961, and *Gonzalez v. Rite Aid*, No. 2:14-cv-01963, will proceed as a bench trial.

4 Dated: August 23, 2017.

5 /s/ John A. Mendez

6 John A. Mendez
7 United States District Court Judge
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