

1 BLUMENTHAL, NORDREHAUG & BHOWMIK  
 Norman B. Blumenthal (SBN 068687)  
 2 Kyle R. Nordrehaug (SBN 205975)  
 Aparajit Bhowmik (SBN 248066)  
 3 Ruchira Piya Mukherjee (SBN 274217)  
 Victoria B. Rivapalacio (SBN 275115)  
 4 2255 Calle Clara  
 La Jolla, CA 92037  
 5 Telephone: +1 858 551 1223  
 Facsimile: +1 858 551 1232

6 Attorneys for Plaintiffs

7 JUAN OROZCO and JUAN OROZCO-BRISENO  
 8 REED SMITH LLP

9 Thomas E. Hill (SBN 100861)  
 Email: thill@reedsmith.com  
 10 Christina T. Tellado (SBN 298597)  
 Email: ctellado@reedsmith.com  
 11 355 South Grand Avenue, Suite 2900  
 Los Angeles, CA 90071-1514  
 12 Telephone: +1 213 457 8000  
 Facsimile: +1 213 457 8080

13 Attorneys for Defendant  
 14 ILLINOIS TOOL WORKS INC.

15  
 16 **UNITED STATES DISTRICT COURT**  
 17 **EASTERN DISTRICT OF CALIFORNIA**

18 JUAN OROZCO and JUAN OROZCO-  
 19 BRISENO, individuals, on behalf of  
 themselves and on behalf of all persons  
 20 similarly situated,

21 Plaintiffs,

22 v.

23 ILLINOIS TOOL WORKS INC., a  
 Corporation; and Does 1 through 50,  
 24 Inclusive,

25 Defendants.

Case No. 14-CV-02113-MCE-EFB

Assigned to the Hon. Morrison C. England

**CLASS ACTION**

**SECOND JOINT STIPULATION AND  
 ORDER TO CONTINUE DEADLINE  
 FOR PLAINTIFFS TO FILE  
 MOTION FOR CLASS  
 CERTIFICATION**

1 Plaintiffs JUAN OROZCO and JUAN OROZCO-BRISENO (“Plaintiffs”) and  
2 Defendant ILLINOIS TOOL WORKS INC. (“Defendant”), by and through their  
3 respective counsel, hereby stipulate as follows:

4 WHEREAS, the Court has bifurcated the discovery process in this matter, limiting  
5 Phase 1 discovery to those facts that are relevant to whether the action should be certified  
6 as a class action;

7 WHEREAS, the Court previously set the following deadlines with respect to  
8 Phase 1 discovery and Plaintiffs’ motion for class certification:

- 9 • Completion of Phase 1 discovery: April 11, 2016
- 10 • Plaintiffs’ deadline to file Class Certification Motion: May 12, , 2016
- 11 • Defendant’s deadline to file opposition: June 2, 2016
- 12 • Plaintiff’s deadline to file reply: June 16, 2016
- 13 • Hearing re: Class Certification Motion: June 23, 2016

14 WHEREAS, in partial resolution of a discovery dispute between the Parties,  
15 Magistrate Judge Brennan ordered Defendant to produce Rule 30(b)(6) witnesses who  
16 can testify regarding “issues of rest and meal breaks, as well as premium pay” with  
17 respect to all business units operated by Defendant in California during the putative class  
18 period [Doc. No. 38];

19 WHEREAS, on February 5, 2016, this Court issued an Order denying Defendant’s  
20 Request for Partial Reconsideration of the Magistrate Judge’s Order [Doc. No. 42];

21 WHEREAS, Defendant has compiled and provided Plaintiffs a list of thirty-one  
22 (31) individuals who will serve as 30(b)(6) designees with regard to one or more of the  
23 34 business units now maintained by Defendant in California, and the Parties are  
24 currently in the process of scheduling these depositions;

25 WHEREAS, the Parties have conferred and believe that a continuance of the  
26 briefing schedule for the motion for class certification is warranted to provide a sufficient  
27 amount of time for Defendant to produce its 30(b)(6) designees for deposition;  
28

1 WHEREAS, Defendant has agreed to produce all 30(b)(6) designees for deposition  
2 by June 30, 2016;

3 WHEREAS, Plaintiffs believe they will require approximately sixty (60) days after  
4 the conclusion of the final 30(b)(6) deposition to review and analyze the deposition  
5 transcripts and file their motion for class certification; and

6 WHEREAS, this is the second request for a continuance by either Party;

7 WHEREAS, good cause for the continuance exists as the Court recently issued an  
8 order regarding Defendant's Request for Partial Reconsideration and since the issuance  
9 of the Court's order, the Parties have been working diligently to perform and complete  
10 discovery as outlined by Magistrate Judge Brennan's Order.

11 NOW, THEREFORE, the Parties hereby stipulate and agree, and respectfully  
12 request the Court to order that the Phase 1 discovery cut-off and the dates associated with  
13 the motion for class certification be continued to the following dates:

- 14 • Completion of Phase 1 discovery: June 30, 2016
- 15 • Plaintiffs' deadline to file motion: September 2, 2016
- 16 • Defendant's deadline to file opposition: September 23, 2016
- 17 • Plaintiff's deadline to file reply: October 7, 2016
- 18 • Hearing re: Class Certification Motion: October 19, 2016

19  
20 IT IS SO STIPULATED.

21 DATED: February 29, 2015

BLUMENTHAL, NORDREHAUG  
& BHOWMIK

22  
23 By: /s/

24 Norman B. Blumenthal  
25 Kyle R. Nordrehaug  
26 Aparajit Bhowmik  
Piya Mukherjee

27 Attorneys for Plaintiffs  
28

1 DATED: February 29, 2015

REED SMITH LLP

2  
3 By: /s/

4 Thomas E. Hill  
Christina T. Tellado


5 Attorneys for Defendant  
6  
7  
8

9 **ORDER**

10 It is HEREBY ORDERED that the Phase 1 discovery cut-off and the dates  
11 associated with the motion for class certification be continued in accordance with the  
12 foregoing stipulation.

13 IT IS SO ORDERED.

14 **Dated: March 3, 2016**

15   
16 \_\_\_\_\_  
MORRISON C. ENGLAND, JR., CHIEF JUDGE  
17 UNITED STATES DISTRICT COURT  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28