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9 Attorneys for Plaintiffs  
10 NATIONAL RAILROAD PASSENGER  
CORPORATION, BNSF RAILWAY COMPANY,  
11 UNION PACIFIC RAILROAD COMPANY, AND  
LOS ANGELES JUNCTION RAILWAY

12 ADDITIONAL COUNSEL ON SIGNATURE PAGE

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14 UNITED STATES DISTRICT COURT  
15 EASTERN DISTRICT OF CALIFORNIA  
16 SACRAMENTO DIVISION  
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18 NATIONAL RAILROAD PASSENGER  
CORPORATION (D/B/A AMTRAK),  
19 BNSF RAILWAY COMPANY, UNION  
PACIFIC RAILROAD COMPANY, and  
20 LOS ANGELES JUNCTION RAILWAY

21 **Plaintiffs,**

22 **v.**

23 STATE OF CALIFORNIA, STATE OF  
CALIFORNIA DIVISION OF LABOR  
24 STANDARDS ENFORCEMENT, and  
JULIE SU, in her official capacity as Labor  
25 Commissioner, State of California Division  
of Labor Standards Enforcement,

26 **Defendants.**  
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Case No. 2:15-cv-00924-WBS-EFB

**JOINT STIPULATION AND  
[PROPOSED] ORDER TO STAY  
PROCEEDINGS FOR NINETY DAYS**

1 Plaintiffs National Railroad Passenger Corporation (d/b/a Amtrak), BNSF Railway  
2 Company, Union Pacific Railroad Company, and Los Angeles Junction Railway (collectively,  
3 “Plaintiffs”) and Defendants the State of California, the State of California Division of Labor  
4 Standards Enforcement, and Julie Su, in her official capacity as Labor Commissioner  
5 (collectively, “Defendants”), hereby request and jointly stipulate to stay of all proceedings in this  
6 case for a period of ninety (90) days.

7 **Recitals**

8 **WHEREAS** Plaintiffs and Defendants (collectively, “the Parties”) are actively engaged in  
9 settlement negotiations and would like the opportunity to continue those discussions before  
10 advancing litigation further and potentially wasting judicial resources;

11 **WHEREAS** “the power to stay proceedings is incidental to the power inherent in every  
12 court to control the disposition of the causes on its own docket with economy of time and effort  
13 for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936)). “[T]he  
14 law favors and encourages compromise settlements,” *Ahern v. Cent. Pac. Freight Lines*, 846 F.2d  
15 47, 48 (9th Cir. 1988), and courts routinely order stays to facilitate settlement efforts. *See, e.g.*,  
16 13B Charles A. Wright, et al., *Federal Practice & Procedure* § 3533.2 (2009) (“[A] court may stay  
17 proceedings if the parties are working toward settlement . . . .”);

18 **WHEREAS** the Parties agree that a stay is desirable both to facilitate their settlement  
19 efforts and to conserve judicial resources. *See White v. Novartis Pharm. Corp.*, No. 06-cv-00665,  
20 2006 WL 1409556, at \*1 (E.D. Cal. May 22, 2006) (“[B]ecause the parties appear to be in  
21 agreement that a stay is warranted, or at least acceptable, the court sees no reason not to exercise  
22 its inherent power to issue one.”);

23 **NOW, THEREFORE**, for the foregoing reasons, the Parties jointly stipulate that it is in  
24 the interests of all concerned and will promote judicial economy to stay this case in its entirety as  
25 set forth below, or on such other terms as the Court may order:

26 1. This case shall be stayed and all associated dates and deadlines vacated. The stay shall  
27 remain in effect for a period of 90 days.



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**ORDER**

Pursuant to the joint stipulation of the Parties:

1. This case shall be stayed and all associated dates and deadlines vacated. The stay shall remain in effect for a period of 90 days.
2. Within the 90-day stay period, the Parties shall meet and confer in good faith to explore settlement.
3. Should the case be resolved, the Parties will notify the Court promptly by filing appropriate dispositional documents.
4. Should the case not be resolved, the Parties will notify the Court at the close of the 90-day period so that the Court may issue a new scheduling order.

**IT IS SO ORDERED.**

DATED: JULY 28, 2015

  
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WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE