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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 EXTEND  
THE STAY OF PROCEEDINGS FOR  
ADDITIONAL 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 an extension of the current  
6 stay of all proceedings in this case for an additional period of ninety (90) days.

7 **Recitals**

8 **WHEREAS** the Court had previously stayed proceedings to allow Plaintiffs and  
9 Defendants (collectively, “the Parties”) to engage in settlement discussions [Dkt. No. 23]; and

10 **WHEREAS** the Parties have made progress in their negotiations but have not yet  
11 completed those negotiations, and would like the opportunity to continue their discussions before  
12 advancing litigation further and potentially wasting judicial resources; and

13 **WHEREAS** “the power to stay proceedings is incidental to the power inherent in every  
14 court to control the disposition of the causes on its own docket with economy of time and effort  
15 for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936)). “[T]he  
16 law favors and encourages compromise settlements,” *Ahern v. Cent. Pac. Freight Lines*, 846 F.2d  
17 47, 48 (9th Cir. 1988), and courts routinely order stays to facilitate settlement efforts. *See, e.g.*,  
18 13B Charles A. Wright, et al., *Federal Practice & Procedure* § 3533.2 (2009) (“[A] court may stay  
19 proceedings if the parties are working toward settlement . . . .”); and

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

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



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**ORDER**

Pursuant to the joint stipulation of the Parties:

1. The stay of all proceedings shall be extended for a period of 90 days beyond the current expiration date of October 28, 2015, to January 26, 2016.
2. Within the 90-day stay period, the Parties shall continue to 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: OCTOBER 21, 2015

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE