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9 IN THE UNITED STATES DISTRICT COURT  
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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13 **UNICO MECHANICAL CORP, a  
 14 California corporation, and ALFRED  
 15 CONHAGEN, INC. OF CALIFORNIA, a  
 California Corporation,**

16 Plaintiffs,

17 v.

18 **KAMALA HARRIS, in her official capacity  
 19 as Attorney General for the State of  
 California; CHRISTINE BAKER, in her  
 20 official capacity as the Director of the  
 California Department of Industrial  
 21 Relations; DIANE RAVNIK, in her official  
 capacity as the Chief of the California  
 22 Division of Apprenticeship Standards; and  
 MATT RODRIQUEZ, in his official  
 23 capacity as California Secretary for  
 Environmental Protection,**

24 Defendants.  
 25

Case No. 2:15-cv-00996-JAM-DB

**STIPULATION AND ORDER  
 ESTABLISHING BRIEFING SCHEDULE  
 FOR PLAINTIFFS' MOTION FOR  
 SUMMARY JUDGMENT**

Date: November 15, 2016  
 Time: 1:30 p.m.  
 Courtroom: 6, 14th Floor  
 Judge: Hon. John A. Mendez  
 Trial Date: None Set  
 Action Filed: 5/7/2015

1 Pursuant to Local Rule 230, all parties to this case hereby stipulate and request that the  
2 Court approve the following briefing schedule for Plaintiffs' motion for summary judgment, filed  
3 on September 7, 2016, and set for hearing on November 15, 2016, at 1:30 p.m.:

4 Plaintiffs' motion was filed on September 7, 2016.

5 Defendants' oppositions to the motion and any cross-motions for summary judgment must  
6 be served and filed on or before October 11, 2016.

7 Plaintiffs' replies to Defendants' oppositions and Plaintiffs' opposition to any cross-  
8 motions must be served and filed on or before November 1, 2016.

9 Defendants' replies in support of any cross-motion must be served and filed on or before  
10 November 8, 2016.

11 The Parties stipulate and agree that they met and conferred regarding Plaintiffs' motion on  
12 August 25, 2016. The Parties further stipulate and agree that, during the proposed briefing  
13 schedule, they will not propound additional discovery.

14 As provided for in Local Rule 230(e), notwithstanding this stipulation, should Defendants  
15 file any cross-motions for summary judgment, Plaintiffs reserve their rights to request that the  
16 Court modify the briefing schedule and "continue the hearing on the original and all related  
17 motions so as to give all parties reasonable opportunity to serve and file oppositions and replies to  
18 all pending motions." Plaintiffs will meet and confer with Defendants prior to making such a  
19 request.

20 Good cause exists for this briefing schedule because counsel for Defendant State Building  
21 and Construction Trades Council of California, AFL-CIO, will be out of the country for several  
22 weeks in early September. And counsel for Defendants Harris, Baker, Ravnik, and Rodriguez  
23 will be out of the office on family leave for several weeks in early October. Moreover, providing  
24 extra time for the parties to incorporate cross-motions into the schedule will reduce the burden on  
25 the Court and the parties.

26 Accordingly, the parties request that the Court approve the briefing schedule.

27 IT IS SO STIPULATED.  
28

1 Dated: September 7, 2016

2 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

3 /s/ Jonathan P. Barker (signature used by permission  
4 By \_\_\_\_\_ granted September 7, 2016)

5 RONALD J. HOLLAND

6 ELLEN M. BRONCHETTI

7 JONATHAN P. BARKER

8 *Attorneys for Plaintiffs*

9 *Unico Mechanical Corp. and*

10 *Alfred Conhagen, Inc. of California*

11 Dated: September 7, 2016

12 KAMALA D. HARRIS

13 Attorney General of California

14 MARC A. LEFORESTIER

15 Supervising Deputy Attorney General

16 /s/ John W. Killeen \_\_\_\_\_

17 JOHN W. KILLEEN

18 Deputy Attorney General

19 *Attorneys for Kamala Harris, Christine*

20 *Baker, Diane Ravnik, and Matt Rodriguez*

21 Dated: September 7, 2016

22 ALTSHULER BERZON LLP

23 /s/ Zoe M. Palitz (used by permission  
24 granted September 7, 2016) \_\_\_\_\_

25 SCOTT A. KRONLAND

26 ZOE M. PALITZ

27 *Attorneys for State Building and*

28 *Construction Trades Council of California,*

*AFL-CIO*

1 **ORDER**

2 Good cause appearing, it is hereby ORDERED that for Plaintiffs' motion for summary  
3 judgment scheduled to be heard on November 15, 2016, at 1:30 p.m.:

4 Defendants' oppositions to the motion and any cross-motions for summary judgment must  
5 be served and filed on or before October 11, 2016.

6 Plaintiffs' replies to Defendants' oppositions and Plaintiffs' opposition to any cross-  
7 motions must be served and filed on or before November 1, 2016.

8 Defendants' replies in support of any cross-motion must be served and filed on or before  
9 November 8, 2016.

10 As provided for in Local Rule 230(e), notwithstanding this stipulation, should Defendants  
11 file any cross-motions for summary judgment, Plaintiffs reserve their rights to request that the  
12 Court modify the briefing schedule and "continue the hearing on the original and all related  
13 motions so as to give all parties reasonable opportunity to serve and file oppositions and replies to  
14 all pending motions." Plaintiffs will meet and confer with Defendants prior to making such a  
15 request.

16 **IF DEFENDANTS' FILE A CROSS-MOTION FOR SUMMARY JUDGMENT THE**  
17 **COURT MAY VERY LIKELY CONTINUE THE NOVEMBER 15, 2016 HEARING**  
18 **DATE. OTHERWISE THE STIPULATION IS APPROVED.**

19 IT IS SO ORDERED.

20 DATED: September 8, 2016

21 **/s/ JOHN A. MENDEZ**  
22 THE HONORABLE JOHN A. MENDEZ  
23 UNITED STATES DISTRICT JUDGE  
24 EASTERN DISTRICT OF CALIFORNIA

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