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 Leggett & Platt, Incorporated
 15 and L&P Financial Services Co.

16 **UNITED STATES DISTRICT COURT**
 17 **EASTERN DISTRICT OF CALIFORNIA**
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19 EDGAR MORALES, SALVADOR MAGAÑA, AND
 MATTHEW BAGU on behalf of themselves, the State
 20 of California, and all other similarly situated
 individuals,
 21
 PLAINTIFFS,
 22 v.
 23 LEGGETT & PLATT INCORPORATED, a Missouri
 Corporation, L&P FINANCIAL SERVICES CO., a
 24 Delaware Corporation, and DOES 2-20, inclusive,
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 DEFENDANTS.
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Case No. 2:15-cv-01911-JAM-EFB
**STIPULATION AND ORDER TO RE-
 SET CLASS CERTIFICATION
 SCHEDULE**

1 The Parties to the above-entitled action, through their respective counsel of record, submit
2 this Stipulation and Proposed Order to re-set Plaintiff’s deadline to file a motion for class
3 certification. The deadline to move for class certification is presently June 30, 2017. The parties
4 seek to re-set this deadline to September 29, 2017. There is good cause for modifying the existing
5 deadline, and the need to do so is no fault of either party.

6 The Parties have diligently pursued discovery in this matter. Defendants have produced a
7 substantial amount of class member timekeeping and payroll data in electronic form. Plaintiffs
8 have requested this information in connection with their anticipated motion to certify a class
9 pursuant to Rule 23 of the Federal Rules of Civil Procedure (“FRCP”), and motion to certify an
10 opt-in class under the Fair Labor Standards Act (“FLSA”). Defendants have also produced an
11 updated class member list, information regarding their payroll systems, and witnesses pursuant to
12 FRCP 30(b)(6). Plaintiffs have begun deposing the Defendants on relevant time and payroll
13 policies, and expect to continue depositions of designees on a number of topics relevant to class
14 certification, including policies and procedures pertaining to timekeeping, compensation, rest and
15 meal-period compliance, and other working conditions.

16 The Parties continue to meet and confer with regard to production of records and witnesses
17 for deposition. At this time, the Parties are discussing production of a sample of paper timekeeping
18 records and the scheduling of depositions, including 30(b)(6) witnesses and the Plaintiffs. The
19 Parties attempted to meet the present class certification deadline by attempting to produce the
20 remaining time and payroll records and witnesses but, through no fault of either side, have had to
21 delay previously-scheduled depositions to permit the Parties to reach agreement on a representative
22 sample of paper records and production of additional discovery. The Parties anticipate completing
23 production of documents and the depositions of Parties by the end of August 2017.

24 Based on the foregoing, the Parties have agreed to request that the Court continue the
25 deadline for Plaintiffs to file a Motion for Class Certification to September 29, 2017, and to
26 establish the following briefing schedule:

27 Opposition: October 27, 2017

28 Reply: November 17, 2017

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Hearing: December 8, 2017

Respectfully submitted,

DATED: 26, 2017

MALLISON & MARTINEZ

By: /s/ Marco A. Palau
Marco A. Palau
Attorneys for Plaintiffs

DATED: 26, 2017

SHOOK HARDY & BACON L.L.P.

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ORDER (AS MODIFIED BY THE COURT)

For good cause appearing, the deadline for Plaintiff to file a motion for class certification under Federal Rule of Civil Procedure Rule 23, and a motion to certify a collective action under the Fair Labor Standards Act, is hereby continued to September 29, 2017. Any opposition shall be filed on or before October 27, 2017, and any reply shall be filed on or before November 17, 2017. The hearing on Plaintiffs’ motion shall take place on December 5, 2017 at 1:30 p.m.

IT IS SO ORDERED.

Dated: June 26, 2017

/s/ John A. Mendez
Hon. John A. Mendez
U. S. District Court Judge