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 6 an individual, on behalf of himself, and on
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16 Attorneys for Defendant,
 SUGAR TRANSPORT OF THE NORTHWEST, INC.
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18 **IN THE UNITED STATES DISTRICT COURT**
 19 **IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA**
 20 **SACRAMENTO DIVISION**

21 RYAN GUINN, an individual, on behalf of
 himself, and on behalf of all other persons
 22 similarly situated,

23 Plaintiffs,

24 v.

25 SUGAR TRANSPORT OF THE
 NORTHWEST, INC., a California
 26 corporation, and DOES 1 through 100,

27 Defendants.
 28 _____/

Case No.: 2:16-cv-00325-WBS-EFB

**STIPULATION AND [PROPOSED] ORDER
 EXTENDING SCHEDULED DATES FOR
 SETTLEMENT EFFORTS**

Judge: Hon. William B. Shubb
 Courtroom: 5

1 COME NOW, Plaintiff, RYAN GUINN (“Plaintiff”), and Defendant, SUGAR TRANSPORT
2 OF THE NORTHWEST, INC. (“Defendant”), (hereafter, Plaintiff and Defendants will be referred
3 to collectively as “the Parties”), by and through their respective attorneys of record, and they hereby
4 stipulate and agree as follows with regard to extending the scheduled dates in this Case:

5 WHEREAS, on July 21, 2016, Plaintiff propounded written discovery to Defendant seeking
6 information and documents pertaining to the issues that will be before the Court when it considers
7 class certification;

8 WHEREAS, following Defendant’s receipt of that written discovery, the Parties agreed to
9 an expedited mediation of the Case;

10 WHEREAS, on Monday, August 8, 2016, the Parties engaged in a mediation of the Case
11 with Robert “Bo” Links, an attorney who practices law in San Francisco, California;

12 WHEREAS, during the mediation, the Parties agreed that an informal exchange of
13 information is necessary to further pursue the mediation in a meaningful way, and that the
14 production and review of that information would occur in August 2016, with follow-up mediation
15 efforts to take place initially by phone on Friday, September 2, 2016;

16 WHEREAS, the mediator, Attorney Links, has informed the Parties that he will be out of the
17 country and unavailable from mid-September 2016 through early October 2016 so that any further
18 mediation session will not take place until mid-October 2016;

19 WHEREAS, the Parties believe that the efforts to mediate will be more productive if the
20 Parties are not required to concurrently incur expenses to engage in extensive written and oral
21 discovery and briefing of class certification issues, the motion for which is now due to be filed by
22 no later than October 31, 2016.

23 THEREFORE, the Parties hereto stipulate and agree that the deadlines previously scheduled
24 by the Court, through its scheduling order, titled, “Status (Pretrial Scheduling) Order,” be extended
25 90 days, as follows:

- 26 (1) The deadline for the Parties to disclose expert witnesses from whom they plan to offer
27 testimony regarding class certification be extended from September 10, 2016 to **December**
28 **9, 2016**, with the disclosure of any rebuttal expert witnesses regarding class certification

1 extended from September 25, 2016 to **December 26, 2016**.

2 (2) The deadline for the Parties to disclose those experts from whom they intend to offer
3 testimony at trial and produce reports in accordance with Federal Rule of Civil Procedure
4 26(a)(2) be extended from November 28, 2016 to **February 28, 2017**, with the deadline to
5 disclose expert witnesses intended solely for rebuttal at trial and produce their reports in
6 accordance with Federal Rule of Civil Procedure 26(a)(2) extended from December 27,
7 2016, to **March 27, 2017**.

8 (3) The deadline to complete all discovery, including depositions for preservation of testimony,
9 be extended from January 27, 2017 to **April 27, 2017**. The date by when all motions to
10 compel discovery must be noticed on the Magistrate Judge's calendar in accordance with the
11 Local Rules of this Court and so that such motions may be heard (and any resulting orders
12 obeyed) be extended from January 27, 2017 to **April 27, 2017**.

13 (4) The deadline for Plaintiff to file a motion for class certification be extended from October
14 31, 2016 to **January 31, 2017**.

15 (5) The deadline for filing all other motions, except motions for continuances, temporary
16 restraining orders, or other emergency applications, be extended from February 27, 2017 to
17 **May 30, 2017**.

18 (6) The Final Pretrial Conference be continued from April 24, 2017 at 1:30 p.m. to on or about
19 **July 24, 2017** at 1:30 p.m. in Courtroom No. 5.

20 (7) The Trial be continued from May 31, 2017 at 9:00 a.m. to on or about **August 30, 2017** at
21 9:00 a.m. in Courtroom No. 5.

22 IT IS SO STIPULATED.

23 Dated: August 23, 2016

Respectfully submitted,

PAGANO & KASS, APC

/s/ Ian A. Kass

26 _____
JAMES L. PAGANO, ESQ.,
27 IAN A. KASS, ESQ.,
Attorneys for Plaintiff, Ryan Guinn

1 Dated: August 23, 2016

LITTLER MENDELSON, P.C.

2 /s/ John H. Adams, Jr.

3

ALAN S. LEVINS, ESQ.,
4 JOHN H. ADAMS, JR., ESQ.
Attorneys for Defendant,
5 Sugar Transport of the Northwest, Inc.

6 **ORDER**

7 GOOD CAUSE APPEARING, it is hereby ORDERED that the “Status (Pretrial Scheduling)
8 Order” entered in the above-titled matter on June 17, 2016 is modified to extend the deadlines as
9 follows:

10 (1) The deadline for the Parties to disclose expert witnesses from whom they plan to offer
11 testimony regarding class certification be extended from September 10, 2016 to **December**
12 **9, 2016**, with the disclosure of any rebuttal expert witnesses regarding class certification
13 extended from September 25, 2016 to **December 27, 2016**.

14 (2) The deadline for the Parties to disclose those experts from whom they intend to offer
15 testimony at trial and produce reports in accordance with Federal Rule of Civil Procedure
16 26(a)(2) be extended from November 28, 2016 to **February 28, 2017**, with the deadline to
17 disclose expert witnesses intended solely for rebuttal at trial and produce their reports in
18 accordance with Federal Rule of Civil Procedure 26(a)(2) extended from December 27,
19 2016, to **March 27, 2017**.

20 (3) The deadline to complete all discovery, including depositions for preservation of testimony,
21 be extended from January 27, 2017 to **April 27, 2017**. The date by when all motions to
22 compel discovery must be noticed on the Magistrate Judge’s calendar in accordance with the
23 Local Rules of this Court and so that such motions may be heard (and any resulting orders
24 obeyed) be extended from January 27, 2017 to **April 27, 2017**.

25 (4) The deadline for Plaintiff to file a motion for class certification be extended from October
26 31, 2016 to **January 31, 2017**.

27 (5) The deadline for filing all other motions, except motions for continuances, temporary
28

1 restraining orders, or other emergency applications, be extended from February 27, 2017 to
2 **May 30, 2017.**

3 (6) The Final Pretrial Conference be continued from April 24, 2017 at 1:30 p.m. to on or about
4 **July 31, 2017 at 1:30 p.m. in Courtroom No. 5.**

5 (7) The Trial be continued from May 31, 2017 at 9:00 a.m. to on or about **September 26, 2017**
6 **at 9:00 a.m. in Courtroom No. 5.**

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9 IT IS SO ORDERED.

10 Dated: August 23, 2016



11 WILLIAM B. SHUBB
12 UNITED STATES DISTRICT JUDGE
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