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10 an individual, on behalf of himself, and on
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21 Attorneys for Defendant,
22 SUGAR TRANSPORT OF THE NORTHWEST, INC.

23 **IN THE UNITED STATES DISTRICT COURT**
24 **IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA**
25 **SACRAMENTO DIVISION**

26 RYAN GUINN, an individual, on behalf of
27 himself, and on behalf of all other persons
28 similarly situated,

Plaintiffs,

vs.

SUGAR TRANSPORT OF THE
NORTHWEST, INC., a California
corporation, *et al.*,

Defendants.

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

**STIPULATION AND [PROPOSED]
ORDER AMENDING SCHEDULING
ORDER**

Judge: Hon. William B. Shubb
Courtroom: 5

1 COME NOW, Plaintiff, RYAN GUINN (“Plaintiff”), and Defendant, SUGAR
2 TRANSPORT OF THE NORTHWEST, INC. (“Defendant”) (hereafter, when referenced in a
3 collective manner, Plaintiff and Defendant will be referred to collectively as “the Parties”), by
4 and through their respective attorneys of record, and they hereby stipulate and agree as follows:
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6 WHEREAS, on June 17, 2016, the Court entered a scheduling order, titled “Status
7 (Pretrial Scheduling) Order” (“Initial Scheduling Order”) Document 22;
8

9 WHEREAS, on August 23, 2016, the Parties, then engaged in mediation efforts, asked
10 the Court to extend the dates in the Initial Scheduling Order, believing that the efforts to
11 mediate would be more productive;

12 WHEREAS, on August 24, 2016, the Court entered a stipulated order, titled “Stipulation
13 and Order Extending Scheduled Dates for Settlement Efforts,” Document 33 (“Revised
14 Scheduling Order”), revising the Initial Scheduling Order in this Case;
15

16 WHEREAS, according to the referenced Revised Scheduling Order, the deadline for the
17 Parties to disclose those experts from whom they intend to offer testimony at trial and produce
18 reports is Tuesday, February 28, 2017, with the deadline to disclose rebuttal expert witnesses on
19 Monday, March 27, 2017;
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21 WHEREAS, on January 24, 2017, the Court, on Plaintiff’s motion, entered an order
22 granting Plaintiff leave to amend his complaint in this Case to add two additional defendants,
23 Bronco Wine Company and Classic Wines of California (collectively as “Newly Added
24 Defendants”);

25 WHEREAS, on January 26, 2017, the Court postponed the deadline for Plaintiff to file a
26 certification motion, through a stipulated order, titled, “Stipulation and Order Extending
27 Scheduled Date for Filing Motion for Class Certification,” Document 53, to May 1, 2017;
28

1 WHEREAS, following the filing and service of Plaintiff's amended complaint, the
2 Answers of the Newly Added Defendants are not due until Monday, February 27, 2017.
3

4 WHEREAS, in view of the February 27, 2017 deadline scheduled for the Newly Added
5 Defendants to respond to the amended complaint and appear in the Case, the Parties believe
6 there will be insufficient time to meaningfully meet and confer regarding the Case deadlines
7 with the Newly Added Defendants' counsel before the current February 28, 2017 deadline for
8 expert disclosures;
9

10 THEREFORE, the Parties hereto hereby stipulate and agree that the following deadlines
11 previously scheduled by the Court through the Revised Scheduling Order be extended as
12 follows:

- 13 (1) The deadline for the Parties to disclose those experts from whom they intend to offer
14 testimony at trial and produce reports in accordance with Federal Rule of Civil Procedure
15 26(a)(2) be extended from February 28, 2017 to **July 31, 2017**, with the deadline to
16 disclose expert witnesses intended solely for rebuttal at trial and produce their reports in
17 accordance with Federal Rule of Civil Procedure 26(a)(2) extended from March 27, 2017,
18 to **August 21, 2017**.
19
20 (2) The deadline to complete all discovery, including depositions for preservation of
21 testimony, be extended from April 27, 2017 to **September 15, 2017**. The date by which
22 all motions to compel discovery must be noticed on the Magistrate Judge's calendar in
23 accordance with the Local Rules of this Court and so that such motions may be heard
24 (and any resulting orders obeyed) be extended from April 27, 2017 to **September 15,**
25 **2017**.
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1 (3) The deadline for filing all other motions, except motions for continuances, temporary
2 restraining orders, or other emergency applications, be extended from May 30, 2017 to

3
4 **September 29, 2017.**

5 (4) The Final Pretrial Conference be continued from July 31, 2017 at 1:30 p.m. to on or
6 about **November 20, 2017** at 1:30 p.m. in Courtroom No. 5.

7 (5) The Trial be continued from September 26, 2017 at 9:00 a.m. to on or about **December**
8 **12, 2017** at 9:00 a.m. in Courtroom No. 5.
9

10 IT IS SO STIPULATED.

11 Dated: February 23, 2017

Respectfully submitted,
PAGANO & KASS, APC

12
13 /s/ Ian A. Kass

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JAMES L. PAGANO, ESQ.,
15 IAN A. KASS, ESQ.,
Attorneys for Plaintiff, Ryan Guinn

16
17 Dated: February 23, 2017

DOWNEY BRAND, LLP

18 /s/ Cassandra M. Ferrannini

19 _____
CASSANDRA M. FERRANNINI, ESQ.,
20 ALEXANDRA K. LAFOUNTAIN, ESQ.,
Attorneys for Defendant,
21 Sugar Transport of the Northwest, Inc.
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ORDER

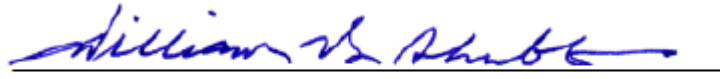
GOOD CAUSE APPEARING, it is hereby ORDERED that the “Stipulation and Order Extending Scheduled Dates for Settlement Efforts,” Document 33, entered in the above-captioned matter on August 24, 2016, is modified as follows:

- (1) The deadline for the Parties to disclose those experts from whom they intend to offer testimony at trial and produce reports in accordance with Federal Rule of Civil Procedure 26(a)(2) is extended from February 28, 2017 to **July 31, 2017**, with the deadline to disclose expert witnesses intended solely for rebuttal at trial and produce their reports in accordance with Federal Rule of Civil Procedure 26(a)(2) is extended from March 27, 2017, to **August 21, 2017**.
- (2) The deadline to complete all discovery, including depositions for preservation of testimony, is extended from April 27, 2017 to **September 15, 2017**. The date by which all motions to compel discovery must be noticed on the Magistrate Judge’s calendar in accordance with the Local Rules of this Court and so that such motions may be heard (and any resulting orders obeyed) is extended from April 27, 2017 to **September 15, 2017**.
- (3) The deadline for filing all other motions, except motions for continuances, temporary restraining orders, or other emergency applications, is extended from May 30, 2017 to **September 29, 2017**.
- (4) The Final Pretrial Conference is continued from July 31, 2017 at 1:30 p.m. to **November 20, 2017 at 1:30 p.m. in Courtroom No. 5.**

1 (5) The Trial is continued from September 26, 2017 at 9:00 a.m. to January 23, 2018 at
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3 9:00 a.m. in Courtroom No. 5.

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5 IT IS SO ORDERED.

6 Dated: February 23, 2017

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8 WILLIAM B. SHUBB
9 UNITED STATES DISTRICT JUDGE
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