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9 an individual, on behalf of himself, and on
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26 Attorneys for Defendants,
27 Bronco Wine Company, a California
28 corporation and Classic Wines of California,
a California corporation

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

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

Plaintiff,

vs.

SUGAR TRANSPORT OF THE
NORTHWEST, INC., a California
corporation, BRONCO WINE COMPANY,
a California corporation, CLASSIC WINES
OF CALIFORNIA, a California corporation,

Defendants.

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

**STIPULATION AND [PROPOSED] ORDER
FURTHER AMENDING SCHEDULING
ORDER AND EXTENDING SCHEDULED
DATE FOR FILING MOTION FOR CLASS
CERTIFICATION**

Judge: Hon. William B. Shubb
Courtroom: 5

1 COME NOW, Plaintiff RYAN GUINN (“Plaintiff”) and Defendants SUGAR TRANSPORT
2 OF THE NORTHWEST, INC., BRONCO WINE COMPANY, and CLASSIC WINES OF
3 CALIFORNIA (collectively, “Defendants”) (“Plaintiff” and “Defendants” shall be collectively referred
4 to herein as the “Parties”), by and through their respective attorneys of record, hereby stipulate and
5 agree as follows:

6 WHEREAS, on January 24, 2017, the Court, on Plaintiff’s motion, entered an order granting
7 Plaintiff leave to amend his complaint in this case to add two additional defendants, BRONCO WINE
8 COMPANY and CLASSIC WINES OF CALIFORNIA. In connection therewith, the Court noted that
9 a modification of the scheduling order in this case may be appropriate, upon request, to avoid prejudice
10 to BRONCO WINE COMPANY and CLASSIC WINES OF CALIFORNIA;

11 WHEREAS, on January 24, 2017, Plaintiff filed his Amended Complaint, naming BRONCO
12 WINE COMPANY and CLASSIC WINES OF CALIFORNIA as additional defendants;

13 WHEREAS, on January 26, 2017, the Court entered a stipulated order, entitled “Stipulation and
14 Order Extending Scheduled Date for Filing Motion for Class Certificate,” Document 54, pursuant to
15 which the Court extended the deadline for Plaintiff to file a motion for class certification to May 1,
16 2017;

17 WHEREAS, on February 24, 2017, the Court entered a stipulated order, entitled “Stipulation
18 and Order Amending Scheduling Order,” Document 61 (the “Scheduling Order”), extending certain
19 deadlines in this case, in light of Plaintiff’s filing of his Amended Complaint and the expectation that
20 the Parties would require sufficient time to confer with Defendants BRONCO WINE COMPANY and
21 CLASSIC WINES OF CALIFORNIA regarding the scheduling of future deadlines in this case;

22 WHEREAS, on February 27, 2017, Defendants BRONCO WINE COMPANY and CLASSIC
23 WINES OF CALIFORNIA filed an Answer to Plaintiff’s Amended Complaint;

24 WHEREAS, on March 20, 2017, Plaintiff served Defendants BRONCO WINE COMPANY
25 and CLASSIC WINES OF CALIFORNIA, with notices of deposition together with requests for
26 documents, initially demanding production on April 24, 2017;

27 WHEREAS, the Parties subsequently met and conferred in good faith regarding the nature and
28 scope of these requests;

1 WHEREAS, on April 24, 2017, the Court entered a stipulated order, entitled “Stipulation and
2 Order Further Extending Scheduled Date for Filing Motion for Class Certificate,” Document 66 (“Class
3 Certification Order”), pursuant to which the Court extended the deadline for Plaintiff to file a motion
4 for class certification to June 12, 2017;

5 WHEREAS, the Parties have subsequently continued to meet and confer in good faith regarding
6 the scope of Plaintiff’s requests, the necessity of a protective order to protect potentially private,
7 privileged, and proprietary information, and the appropriateness of the dates set forth in the existing
8 Scheduling Order;

9 WHEREAS, the Parties have agreed to modify the existing Scheduling Order, including the
10 final pretrial conference date and trial date, and the date for Plaintiff to file his motion for class
11 certification, to provide time for the Parties to resolve these discovery matters, to complete discovery,
12 and to prepare for trial;

13 WHEREAS, the Parties believe that this request to modify the scheduling order, including the
14 final pretrial conference date and trial date, and the date for Plaintiff to file his motion for class
15 certification, is necessary to achieve a just resolution of this action and to prevent prejudice to any of
16 the Parties;

17 THEREFORE, the Parties hereby stipulate and agree that the following deadlines previously
18 scheduled by this Court through the Scheduling Order and Class Certification Order be extended as
19 follows:

20 (1) The deadline for Plaintiff to file his motion for class certification shall be extended from
21 June 12, 2017 to **September 18, 2017**;

22 (2) The deadline for the Parties to disclose any expert witnesses from whom they intend to
23 offer testimony at trial and to produce their reports in accordance with Rule 26(a)(2) of the Federal
24 Rules of Civil Procedure shall be extended from July 31, 2017 to **November 30, 2017**;

25 (3) The deadline for the Parties to disclose any expert witnesses intended solely for rebuttal
26 at trial and to produce their reports in accordance with Rule 26(a)(2) of the Federal Rules of Civil
27 Procedure shall be extended from August 21, 2017 to **December 22, 2017**;

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1 (4) The deadline for the Parties to complete all discovery, including depositions for
2 preservation of testimony, shall be extended from September 15, 2017 to **January 19, 2018**;

3 (5) The deadline for the Parties to notice all discovery-related motions, including motions
4 to compel discovery, on the Magistrate Judge's calendar in accordance with the Local Rules of this
5 Court, shall be extended from September 15, 2017 to **January 19, 2018**;

6 (6) The deadline for the Parties to file all other non-dispositive pre-trial motions, excluding
7 motions for continuances, applications for temporary restraining order, other emergency applications,
8 and motions in limine, shall be extended from September 29, 2017 to **January 19, 2018**;

9 (7) The deadline for the Parties to file dispositive pre-trial motions shall be extended from
10 September 29, 2017 to **February 16, 2018**;

11 (8) The Final Pretrial Conference shall be continued from November 20, 2017 at 1:30 p.m.
12 to **March 12, 2018** at 1:30 p.m. in Courtroom No. 5, subject to the Court's availability;

13 (9) The Trial shall be continued from January 23, 2018 at 9:00 a.m. to **April 17, 2018** at
14 9:00 a.m. in Courtroom No. 5, subject to the Court's availability.

15 IT IS SO STIPULATED.

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17 DATED: May 15, 2017

Respectfully submitted,

PAGANO & KASS, APC

18
19 By: /s/ Ian A. Kass
20 James L. Pagano, Esq.
21 Ian A. Kass, Esq.
22 Attorneys for Plaintiff, Ryan Guinn

23 DATED: May 16, 2017

DOWNEY BRAND, LLP

24
25 By: /s/ Cassandra M. Ferrannini
26 Cassandra M. Ferrannini, Esq.
27 Alexandra K. LaFountain, Esq.
28 Kathryn L. Patterson, Esq.
Attorneys for Defendant,
Sugar Transport of the Northwest, Inc.

1 DATED: May 16, 2017

RODARAKIS & SOUSA, APC

2
3 By: /s/ Eric J. Sousa
Eric J. Sousa, Esq.
4 Brandy L. Barnes, Esq.
5 Attorneys for Defendants, Bronco Wine
Company and Classic Wines of California

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8 **ORDER**

9 GOOD CAUSE APPEARING THEREFORE, it is hereby ORDERED that the “Stipulation and
10 Order Amending Scheduling Order,” Document 61, entered in the above-captioned matter on February
11 24, 2017 and the “Stipulation and Order Further Extending Scheduled Date for Filing Motion for Class
12 Certification,” Document 66, entered in the above-captioned matter on April 24, 2017, are each
13 modified as follows:

14 (1) The deadline for Plaintiff to file his motion for class certification is extended from June
15 12, 2017 to **September 18, 2017**;

16 (2) The deadline for the Parties to disclose any expert witnesses from whom they intend to
17 offer testimony at trial and to produce their reports in accordance with Rule 26(a)(2) of the Federal
18 Rules of Civil Procedure is extended from July 31, 2017 to **November 30, 2017**;

19 (3) The deadline for the Parties to disclose any expert witnesses intended solely for rebuttal
20 at trial and to produce their reports in accordance with Rule 26(a)(2) of the Federal Rules of Civil
21 Procedure is extended from August 21, 2017 to **December 22, 2017**;

22 (4) The deadline for the Parties to complete all discovery, including depositions for
23 preservation of testimony, is extended from September 15, 2017 to **January 19, 2018**;

24 (5) The deadline for the Parties to notice all discovery-related motions, including motions
25 to compel discovery, on the Magistrate Judge’s calendar in accordance with the Local Rules of this
26 Court, is extended from September 15, 2017 to **January 19, 2018**;

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1 (6) The deadline for the Parties to file all other non-dispositive pre-trial motions, excluding
2 motions for continuances, applications for temporary restraining order, other emergency applications,
3 and motions in limine, is extended from September 29, 2017 to **January 19, 2018**;

4 (7) The deadline for the Parties to file dispositive pre-trial motions is extended from
5 September 29, 2017 to **February 16, 2018**;

6 (8) The Final Pretrial Conference is continued from November 20, 2017 at 1:30 p.m. to
7 **April 9, 2018 at 1:30 p.m.** in Courtroom No. 5, subject to the Court's availability;

8 (9) The Trial is continued from January 23, 2018 at 9:00 a.m. to **June 5, 2018 at 9:00 a.m.**
9 in Courtroom No. 5, subject to the Court's availability.

10 IT IS SO ORDERED.

11 Dated: May 17, 2017



12 **WILLIAM B. SHUBB**
13 **UNITED STATES DISTRICT JUDGE**