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7 SUGAR TRANSPORT OF THE NORTHWEST, INC.

8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

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

13 Plaintiffs,

14 v.

15 SUGAR TRANSPORT OF THE  
16 NORTHWEST, INC.; BRONCO WINE  
17 COMPANY, a California corporation;  
18 CLASSIC WINES OF CALIFORNIA, a  
19 California corporation, a California  
20 corporation, and DOES 1 through 100,

20 Defendants.

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

**CLASS ACTION**

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

20 COME NOW, Plaintiff, RYAN GUINN (“Plaintiff”), and Defendants, SUGAR  
21 TRANSPORT OF THE NORTHWEST, INC., BRONCO WINE COMPANY and CLASSIC  
22 WINES OF CALIFORNIA (“Defendants”) (hereafter, when referenced in a collective manner,  
23 Plaintiff and Defendants will be referred to collectively as “the Parties”), by and through their  
24 respective attorneys of record, and they hereby stipulate and agree as follows:

25 WHEREAS, on June 17, 2016, the Court entered a scheduling order, titled “Status  
26 (Pretrial Scheduling) Order” Document 22;

27 WHEREAS, on August 24, 2016, the Court entered a stipulated order, titled “Stipulation  
28 and Order Extending Scheduled Dates for Settlement Efforts,” Document 33, revising the Initial

1 Scheduling Order in this Case;

2 WHEREAS, on January 24, 2017, the Court, on Plaintiff’s motion, entered an order  
3 granting Plaintiff leave to amend his complaint in this Case to add two additional defendants,  
4 Bronco Wine Company and Classic Wines of California;

5 WHEREAS, on February 24, 2017, the Court entered a stipulated order, titled “Stipulation  
6 and Order Extending Scheduling Order,” Document 61, revising the Scheduling Order in this  
7 Case;

8 WHEREAS, on May 17, 2017, the Court entered a stipulated order, titled “Stipulation and  
9 Order Further Amending Scheduling Order and Extending Scheduling Date for Filing Motion for  
10 Class Certification,” Document 69 (“Further Amended Scheduling Order”), further revising the  
11 scheduling order in this Case;

12 WHEREAS, the Parties engaged in discovery, and Defendants noticed several  
13 depositions. When it became apparent that the Parties would not complete the necessary  
14 discovery in time for Defendants to utilize that discovery in their Opposition to Plaintiff’s Motion  
15 for Proceeding as Collective Action and for Class Certification, the Parties stipulated to move the  
16 hearing date of that motion from October 30, 2017 to December 18, 2017, with briefing to follow  
17 the new hearing date;

18 WHEREAS, on October 13, 2017, the Court entered a stipulated order, titled “Stipulation  
19 Continuing Motion for Proceeding as Collective Action and for Class Certification Hearing,”  
20 Document 73, moving the hearing date on the Motion for Proceeding as Collective Action and for  
21 Class Certification to December 18, 2017;

22 WHEREAS, having moved the Motion hearing date by two months, the Parties agree that  
23 it is necessary to move the remainder of the dates in this action by at least a commensurate  
24 amount.

25 **STIPULATION**

26 THEREFORE, the Parties hereto hereby stipulate and agree that the following deadlines  
27 previously scheduled by the Court through the Further Amended Scheduling Order, Document  
28 69, be extended as follows:

1 (1) The deadline for the Parties to disclose those experts from whom they intend to offer  
2 testimony at trial and produce reports in accordance with Federal Rule of Civil Procedure  
3 26(a)(2) be extended from November 30, 2017 to **February 19, 2018**.

4 (2) The deadline for the Parties to disclose any expert witnesses intended solely for  
5 rebuttal at trial and to produce their reports in accordance with Rule 26(a)(2) of the Federal Rules  
6 of Civil Procedure shall be extended from December 22, 2017 to **March 14, 2018**.

7 (3) The deadline for the Parties to complete all discovery, including depositions for  
8 preservation of testimony, shall be extended from January 19, 2018 to **April 19, 2018**.

9 (4) The deadline for the Parties to notice all discovery-related motions, including motions  
10 to compel discovery, on the Magistrate Judge's calendar in accordance with the Local Rules of  
11 this Court, shall be extended from January 19, 2018 to **April 19, 2018**.

12 (5) The deadline for the Parties to file all other non-dispositive pre-trial motions,  
13 excluding motions for continuances, applications for temporary restraining order, other  
14 emergency applications, and motions in limine, shall be extended from January 19, 2018 to **April**  
15 **19, 2018**.

16 (6) The deadline for the Parties to file dispositive pre-trial motions shall be extended from  
17 February 16, 2018 to **May 7, 2018**.

18 (7) The Final Pretrial Conference shall be continued from April 9, 2018 at 1:30 p.m. to on  
19 or about **June 22, 2018** at 1:30 p.m. in Courtroom No. 5, subject to the Court's availability.

20 (8) The Trial shall be continued from June 5, 2018 at 9:00 a.m. to on or about **August 21,**  
21 **2018** at 9:00 a.m. in Courtroom No. 5, subject to the Court's availability.

22 IT IS SO STIPULATED.

23 DATED: November 29, 2017

DOWNEY BRAND LLP

24  
25 By: /s/ Cassandra M. Ferrannini

26 CASSANDRA M. FERRANNINI  
27 KATIE L. PATTERSON  
28 Attorney for Defendant  
SUGAR TRANSPORT OF THE NORTHWEST,  
INC.

1 DATED: November 29, 2017

PAGANO & KASS, APC.

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By: /s/ James L. Pagano (as authorized on 11/29/17)

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JAMES L. PAGANO  
IAN A. KASS  
Attorney for Plaintiff  
RYAN GUINN

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7 DATED: November 28, 2017

RODARAKIS & SOUSA, APC

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By: /s/ Eric J. Sousa (as authorized on 11/28/17)

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ERIC J. SOUSA  
Attorney for Defendants  
BRONCO WINE COMPANY AND CLASSIC  
WINES OF CALIFORNIA

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**ORDER**

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GOOD CAUSE APPEARING, it is hereby ORDERED that the “Stipulation and Order Further Amending Scheduling Order,” Document 69, entered in the above-captioned matter on May 17, 2017, is modified as follows:

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(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 November 30, 2017 to **February 20, 2018**.

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(2) The deadline for the Parties to disclose any expert witnesses intended solely for rebuttal at trial and to produce their reports in accordance with Rule 26(a)(2) of the Federal Rules of Civil Procedure is extended from December 22, 2017 to **March 14, 2018**.

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(3) The deadline for the Parties to complete all discovery, including depositions for preservation of testimony, is extended from January 19, 2018 to **April 19, 2018**.

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(4) The deadline for the Parties to notice all discovery-related motions, including motions to compel discovery, on the Magistrate Judge’s calendar in accordance with the Local Rules of this Court, is extended from January 19, 2018 to **April 19, 2018**.

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(5) The deadline for the Parties to file all other non-dispositive pre-trial motions, excluding motions for continuances, applications for temporary restraining order, other emergency applications, and motions in limine, is extended from January 19, 2018 to **April 19, 2018**.

(6) The deadline for the Parties to file dispositive pre-trial motions is extended from February 16, 2018 to **May 7, 2018**.

(7) The Final Pretrial Conference is continued from April 9, 2018 at 1:30 p.m. to **June 18, 2018 at 1:30 p.m.** in Courtroom No. 5.

(8) The Trial is continued from June 5, 2018 at 9:00 a.m. to on or about **August 21, 2018 at 9:00 a.m.** in Courtroom No. 5.

DATED: November 29, 2017

/s/ JOHN A. MENDEZ  
for WILLIAM B. SHUBB  
JUDGE, U.S. DISTRICT COURT