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 BLUESTEM BRANDS, INC.  
 7 d/b/a Fingerhut

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

DOLL AMIR & ELEY LLP

11 GREGORY LEE,  
 12 Plaintiff,  
 13 v.  
 14 BLUESTEM BRANDS, INC. d/b/a  
 15 FINGERHUT,  
 16 Defendant.

Case No. 2:16-cv-00838-JAM-AC

*Assigned to District Judge John A. Mendez  
 Referred to Magistrate Judge Allison Claire*

**JOINT STIPULATION TO  
 CONTINUE TRIAL DATE;  
 ORDER**

Complaint Filed: April 22, 2016  
 Trial Date: October 30, 2017

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1 Plaintiff Gregory Lee (“Plaintiff”) by and through his attorneys of record, and  
2 Defendant Bluestem Brands, Inc. dba Fingerhut (“Defendant”) by and through their  
3 attorneys of record, hereby submit this Joint Stipulation as follows:

4 WHEREAS:

- 5 1. Plaintiffs filed their Complaint in this matter on April 22, 2016;
- 6 2. On August 26, 2016, the Court entered a Status (Pre-trial Scheduling)  
7 Order, which set, *inter alia*, a discovery completion date of June 2, 2017 and a trial  
8 date of October 30, 2017;
- 9 3. Since the date of the Court’s Order, the parties diligently engaged in  
10 discovery, both sides having propounded and responded to written discovery;
- 11 4. Despite their efforts, the parties will not be able to complete discovery  
12 before June 2, 2017, and as a result they will not be positioned to comply with the  
13 dispositive motion-related deadlines the Court set;
- 14 5. Specifically, Plaintiff and Defendant are in the process of scheduling  
15 depositions of Plaintiff and a corporate representative of Defendant, but they have not  
16 been able to identify mutually agreeable dates prior to June 2, 2017;
- 17 6. The parties have conferred and agree that a forty-five (45) day  
18 continuance of trial and pre-trial deadlines will allow them to complete the discovery  
19 they still seek;
- 20 7. The Parties respectfully submit that, as shown by the foregoing, good  
21 cause exists for a continuance of trial and pretrial dates of this matter;
- 22 8. Based on the current trial schedules of the Parties and their counsel, the  
23 Parties respectfully request that the trial and all remaining pretrial dates be continued  
24 by at least forty-five (45) days.

25  
26 NOW, THEREFORE, IT IS HEREBY STIPULATED THAT:

- 27 1. The Parties to this matter, by and through their counsel of record,  
28 stipulate and request approval of the Court for the trial and all remaining pretrial dates

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to be continued by at least forty-five (45) days.

DATED: May 19, 2017

KIMMEL & SILVERMAN, P.C.

By: /s/ Rachel Rebecca Stevens  
AMY LYNN BENNECOFF GINSBURG  
RACHEL REBECCA STEVENS  
Attorneys for Plaintiff,  
GREGORY LEE

DATED: May 19, 2017

DOLL AMIR & ELEY LLP

By: /s/ Connie Y. Tcheng  
HUNTER R. ELEY  
CONNIE Y. TCHENG  
Attorneys for Defendant,  
BLUESTEM BRANDS, INC.  
d/b/a Fingerhut

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**ORDER**

Having considered the Parties’ Joint Stipulation to Continue the Trial and Related Deadlines in the above-entitled action, and good cause appearing therefore,

**IT IS HEREBY ORDERED THAT:**

**IT IS SO ORDERED.**

1. The parties’ joint statement summarizing law and motion practice heard by the Court to date shall be due **June 30, 2017.**
2. The discovery completion deadline shall be continued to **July 14, 2017.**
3. The dispositive motion filing date shall be **August 22, 2017.**
4. The dispositive motion hearing date shall be **September 19, 2017 at 1:30 p.m.,** with briefing deadlines calculated as set forth in Local Rule 239.
5. The parties joint pretrial statement shall be filed by **November 9, 2017.**
6. The Final Pretrial Conference shall be reset to **November 17, 2017 at 11:00 a.m.**
7. Trial in this matter shall be continued to **January 8, 2018 at 9:00 a.m.**

Dated: May 19, 2017

/s/ John A. Mendez  
HON. JOHN A. MENDEZ  
United States District Court Judge