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14 Attorneys for Defendant

15 IN THE UNITED STATES DISTRICT COURT  
16 EASTERN DISTRICT OF CALIFORNIA

17 RYAN KNIGHT, et al., on behalf of himself ) Case No. 2:16-cv-01290-WBS-EFB  
18 and all similarly situated individuals, )  
19 Plaintiffs, ) **STIPULATION TO MODIFY**  
v. ) **SCHEDULING ORDER; [PROPOSED]**  
20 CITY OF TRACY, ) **ORDER THEREON**  
21 Defendant. )  
22 \_\_\_\_\_ )

23 TO THE COURT AND ALL INTERESTED PARTIES AND THEIR ATTORNEYS OF  
24 RECORD:

25 WHEREAS, this putative collective action was filed on June 10, 2016, asserting that  
26 Defendant violated the overtime payment provisions of the Fair Labor Standards Act ("FLSA");

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1 WHEREAS, on August 25, 2017, the Court granted the Parties' stipulated request to modify  
2 its Initial Pretrial Scheduling Order. The current schedule is:

3 Last Day to Disclose Expert Witnesses and Reports: December 1, 2017

4 Last Day to Disclose Rebuttal Expert Witnesses and Reports: January 2, 2018

5 Last Day to Complete all Discovery: April 17, 2018

6 Last Day to File Dispositive or Evidentiary Motions: May 12, 2018

7 Final Pre-Trial Conference: August 27, 2018, at 1:30 p.m. in Courtroom No. 5.

8 Settlement Conference: To be set at the Final Pre-Trial Conference

9 Trial: October 30, 2018 at 9:00 a.m. (10 days in length)

10 WHEREAS, the Parties are working diligently towards settling this case. Plaintiffs have  
11 tendered a settlement offer to Defendant. Defendant is in the process of reviewing Plaintiffs' offer.  
12 Defendant's City Council is scheduled to meet and discuss Plaintiffs' offer on December 19, 2017.

13 WHEREAS, the Parties desire more time to fully explore settlement before incurring  
14 significant expert expenses. The Parties respectfully submit that good cause exists to continue the  
15 upcoming expert disclosure dates for 45 days. Neither party will be prejudiced, and the continuance  
16 will not impact the current trial date.

17 THEREFORE, IT IS HEREBY STIPULATED by the Parties that the Court's Pretrial  
18 Scheduling Order be modified as follows:

19 Last Day to Disclose Expert Witnesses and Reports: January 15, 2018

20 Last Day to Disclose Rebuttal Expert Witnesses and Reports: February 16, 2018

21 Last Day to Complete all Discovery: April 17, 2018

22 Last Day to File Dispositive or Evidentiary Motions: May 12, 2018

23 Final Pre-Trial Conference: August 27, 2018, at 1:30 p.m. in Courtroom No. 5.

24 Settlement Conference: To be set at the Final Pre-Trial Conference

25 Trial: October 30, 2018 at 9:00 a.m. (10 days in length)

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Respectfully submitted:

Dated: November 29, 2017

**MASTAGNI HOLSTEDT, APC**

By: /s/ Ace T. Tate  
DAVID E. MASTAGNI, ESQ.  
ISAAC S. STEVENS, ESQ.  
ACE T. TATE, ESQ.  
Attorneys for Plaintiffs

Dated: November 29, 2017

**LIEBERT CASSIDY WHITMORE**

By: Jesse J. Maddox  
JESSE J. MADDOX  
MICHAEL D. YOURIL  
Attorneys for Defendant

**ORDER**

GOOD CAUSE SHOWN, IT IS SO ORDERED that the Court's Pretrial Scheduling Order be modified as follows:

Last Day to Disclose Expert Witnesses and Reports: **January 16, 2018**

Last Day to Disclose Rebuttal Expert Witnesses and Reports: February 16, 2018

Last Day to Complete all Discovery: April 17, 2018 (remains unchanged)

Last Day to File Dispositive or Evidentiary Motions: **May 14, 2018**

Final Pre-Trial Conference: August 27, 2018, at 1:30 p.m. in Courtroom No. 5. (remains unchanged)

Settlement Conference: To be set at the Final Pre-Trial Conference

Trial: October 30, 2018 at 9:00 a.m. (10 days in length) (remains unchanged)

DATED: November 29, 2017

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