

United States District Court
Eastern District of California

1 Christopher C. McNatt, Jr. (SBN 174559)
2 cmcnatt@scopelitis.com
3 SCOPELITIS, GARVIN, LIGHT, HANSON & FEARY, LLP
4 2 North Lake Avenue, Suite 560
5 Pasadena, CA 91101
6 Tel: (626) 795-4700
7 Fax: (626) 795-4790

8 Adam C. Smedstad (SBN 303591)
9 asmedstad@scopelitis.com
10 Andrew J. Butcher (Admitted *Pro Hac Vice*)
11 abutcher@scopelitis.com
12 SCOPELITIS, GARVIN, LIGHT, HANSON & FEARY, P.C.
13 30 West Monroe Street, Suite 600
14 Chicago, IL 60603
15 Tel: (312) 255-7200
16 Fax: (312) 422-1224

17 Angela S. Cash (Admitted *Pro Hac Vice*)
18 acash@scopelitis.com
19 Adam J. Eakman (Admitted *Pro Hac Vice*)
20 aeakman@scopelitis.com
21 SCOPELITIS GARVIN LIGHT HANSON & FEARY, P.C.
22 10 W. Market Street, Suite 1400
23 Indianapolis, IN 46204
24 Tel: (317) 637-1777
25 Fax: (317) 687-2414

26 Attorneys for Defendant,
27 SWIFT TRANSPORTATION COMPANY OF ARIZONA, LLC

28 ADDITIONAL COUNSEL LISTED ON NEXT PAGE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

29 BILL BARKER, TAB BACHMAN, and
30 WILLIAM YINGLING, individually and
31 on behalf of others similarly situated,
32
33 Plaintiffs,
34
35 v.
36 SWIFT TRANSPORTATION
37 COMPANY OF ARIZONA, LLC, and
38 DOES 1 – 10, Inclusive,
39
40 Defendants.

Case No. 2:16-cv-01532-TLN-CKD
**JOINT STIPULATION TO
EXTEND CASE DEADLINES ;
ORDER**

Action Filed: April 1, 2016
Removed: July 5, 2016

1 **THE MARKHAM LAW FIRM**

David R. Markham (SBN 071814)

2 dmarkham@markham-law.com

Maggie Realin (SBN 263639)

3 mrealin@markham-law.com

750 B Street, Suite 1950

4 San Diego, CA 92101

Tel: (619) 399-3995

5 Fax: (619) 615-2067

6 **THE RDM LEGAL GROUP**

Russell Myrick (SBN 270803)

7 russel@rdmlg.com

MANCHESTER FINANCIAL BUILDING

8 7970 Ivanhoe Avenue, Suite 400

La Jolla, CA 92037

9 Tel: (888) 482-8266

10 Fax: (858) 244-7930

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1 Plaintiffs, Bill Barker, Tab Bachman, and William Yingling (“Plaintiffs”) and
2 Defendant, Swift Transportation Company of Arizona, LLC (“Swift”) pursuant to
3 USDC EDCA Local Rule 143 stipulate and agree as follows:

4 On September 6, 2016, this Court, pursuant to Federal Rule of Civil
5 Procedure 16(b) and the Rule 26(f) Conference Statement of the parties, issued a
6 Pretrial Scheduling Order setting the deadline for Plaintiffs’ Motion for Class
7 Certification for September 21, 2017 (ECF No. 15). The Court also set the expert
8 disclosure deadline for any expert to be used on class certification for July 27, 2017,
9 and the deadline for Swift’s supplemental expert disclosure for 20 days after that
10 deadline. *Id.*

11 These deadlines have been modified since the Court’s original Pretrial
12 Scheduling Order. On May 31, 2017, the Court entered an Order setting the
13 discovery cut-off for July 31, 2017 pursuant to the parties’ stipulation to extend the
14 discovery cut-off for sixty days (ECF No. 22). On August 8, 2017, the Court
15 extended the expert disclosure deadline to September 8, 2017 (ECF No. 29). On
16 September 14, 2017, the Court entered an order extending the discovery cut-off for
17 the limited purpose of resolving the ongoing discovery dispute regarding Plaintiffs’
18 challenged discovery responses and Defendant’s Third Supplemental Response to
19 Plaintiffs’ Request for Production of Documents, Set One to September 21, 2017
20 (ECF No. 31).

21 On September 20, 2017, Plaintiffs’ filed their Motions for Conditional
22 Certification and Class Certification with the hearing scheduled on November 2,
23 2017 (ECF No. 32). Under Local Rule 230, Swift’s opposition to Plaintiffs’
24 motions is due 14 days before the hearing, October 19, 2017. Plaintiffs’ reply brief
25 is due 7 days before the hearing, October 26, 2017.

26 The parties are now exploring in good faith a possible settlement of this case.
27 Neither party will be prejudiced by the requested brief extension. Therefore, the
28

1 parties jointly propose a 30-day extension for all outstanding deadlines in order to
2 select a mediator and mediation date and stipulate to the following:

3 The deadlines in the Pretrial Scheduling Order and the Court's subsequent
4 orders should be revised as follows:

Event	Current Date	Proposed Date
Swift's Supplemental List of Expert Witnesses (if any)	September 28, 2017	October 27, 2017
Swift's Response to Plaintiffs' Motions for Class and Conditional Certification	October 19, 2017	November 17, 2017
Plaintiffs' Reply in Support of their Motions for Class and Conditional Certification	October 26, 2017	December 11, 2017
Discovery Cut-Off for the limited purpose of resolving the ongoing discovery dispute regarding Plaintiffs' Challenged Discovery Responses	September 21, 2017	October 27, 2017

1 and Defendant's 2 Third Supplemental 3 Response to 4 Plaintiffs' Request 5 for Production of 6 Documents, Set One		
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 8 IT IS FURTHER STIPULATED and AGREED between the parties that all other
 9 provisions of the Pretrial Scheduling Order of September 6, 2016 and subsequent
 10 orders should remain in effect. This Stipulation may be signed in counterparts and
 11 any facsimile or electronic signature will be valid as an original signature.

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 13 IT IS SO STIPULATED.

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 15 Dated: September 21, 2017

SCOPELITIS, GARVIN, LIGHT,
 HANSON & FEARY, P.C.

16
 17 By: /s/ Angela S. Cash
 18 Angela S. Cash

19 Attorneys for Defendant

20
 21 Dated: September 21, 2017

THE MARKHAM LAW FIRM

22
 23 By: /s/ David R. Markham
 24 David R. Markham

25 Attorneys for Plaintiffs

ORDER

FOR GOOD CAUSE SHOWN, and pursuant to the Stipulation of the parties; the deadlines in the Scheduling Order previously set forth by the Court are revised as follows:

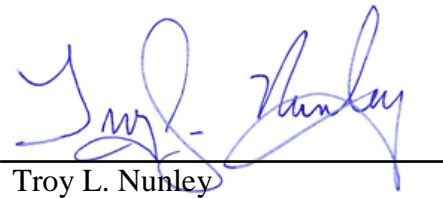
Event	Current Date	Proposed Date
Swift’s Supplemental List of Expert Witnesses (if any)	September 28, 2017	October 27, 2017
Swift’s Response to Plaintiffs’ Motions for Class and Conditional Certification	October 19, 2017	November 17, 2017
Plaintiffs’ Reply in Support of their Motions for Class and Conditional Certification	October 26, 2017	December 11, 2017
Hearing on Plaintiffs’ Motions for Class and Conditional Certification	November 2, 2017	January 11, 2018, at 2:00 p.m.
Discovery Cut-Off for the limited purpose of resolving	September 21, 2017	October 27, 2017

1 2 3 4 5 6 7 8 9 10 11	the ongoing discovery dispute regarding Plaintiffs' Challenged Discovery Responses and Defendant's Third Supplemental Response to Plaintiffs' Request for Production of Documents, Set One		
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14 IT IS SO ORDERED.

15 Date: September 21, 2017

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Troy L. Nunley
United States District Judge