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SWIFT TRANSPORTATION COMPANY OF ARIZONA, LLC

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BILL BARKER, TAB BACHMAN, and
WILLIAM YINGLING, individually and
on behalf of others similarly situated,

Plaintiffs,

v.

SWIFT TRANSPORTATION
COMPANY OF ARIZONA, LLC, and
DOES 1 – 10, Inclusive,

Defendants.

Case No. 2:16-cv-01532-TLN-CKD

**JOINT STIPULATION AND
ORDER TO EXTEND CASE
DEADLINES**

Action Filed: April 1, 2016
Removed: July 5, 2016
Discovery Cut-off: July 31, 2017
Expert Witness Disclosures: July 27,
2017
Class Certification: January 11, 2018

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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 Procedure
5 16(b) and the Rule 26(f) Conference Statement of the parties, issued a Pretrial
6 Scheduling Order setting the discovery cut-off deadline for June 1, 2017 (ECF No.
7 15). On May 31, 2017, the Court entered an Order moving the discovery cut-off to
8 July 31, 2017 pursuant to the parties’ stipulation to extend the discovery cut-off for
9 sixty days (ECF No. 22). On September 14, 2017, the Court entered an order
10 extending the discovery cut-off to September 21, 2017 for the limited purpose of
11 resolving the ongoing discovery dispute regarding Plaintiffs’ challenged discovery
12 responses and Defendant’s Third Supplemental Response to Plaintiffs’ Request for
13 Production of Documents, Set One (ECF No. 31). And on September 22, 2017, the
14 Court extended the same deadline to October 27, 2017 (ECF No. 35).

15 The parties mediated the case with the Honorable Charles McCoy (Ret.) on
16 October 20, 2017, but were unable to resolve the case at the mediation. Although
17 Plaintiffs have made progress and have acted with diligence in gathering the
18 documents and information necessary to complete their discovery responses, they
19 have not yet been able to produce the requested discovery but have advised that they
20 will do so on October 27, 2017. The parties, therefore, respectfully request a two-
21 week extension on the discovery cut-off deadline for the limited purpose of resolving
22 the ongoing discovery dispute regarding Plaintiffs’ challenged discovery responses
23 and, if necessary, for Defendants to file a discovery motion. Neither party will be
24 prejudiced by this extension.

25 The parties jointly propose that the deadlines in the Pretrial Scheduling Order
26 previously set forth by the Court be revised as follows, or set on such other date as
27 the Court determines:
28

Event	Current Date	Proposed Date
Discovery cut-off for the limited purpose of resolving the ongoing discovery dispute regarding Plaintiffs' challenged discovery responses	October 27, 2017	November 10, 2017

IT IS FURTHER STIPULATED and AGREED between the parties that all other provisions of the Pretrial Scheduling Order of September 6, 2016 and subsequent orders will remain in effect. This Stipulation may be signed in counterparts and any facsimile or electronic signature will be valid as an original signature.

IT IS SO STIPULATED.

Dated: October 27, 2017

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

By:



Angela S. Cash
Attorneys for Defendant,

Dated: October 26, 2017

THE RDM LEGAL GROUP

By:



Russel Myrick
Attorneys for Plaintiffs

1 **ORDER**

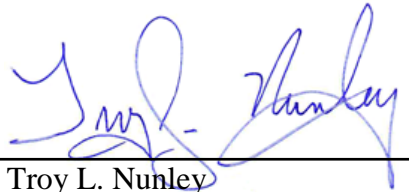
2 FOR GOOD CAUSE SHOWN, and pursuant to the Stipulation of the parties,
3 the deadlines in the Scheduling Order previously set forth by the Court are revised as
4 follows:

5

6 Event	Current Date	Proposed Date
7 Discovery cut-off for the limited 8 purpose of resolving the ongoing 9 discovery dispute regarding 10 Plaintiffs' challenged discovery 11 responses	October 27, 2017	November 10, 2017

12
13 IT IS SO ORDERED

14 Date: October 27, 2017

15
16 
17 Troy L. Nunley
18 United States District Judge