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6 Attorneys for Defendant  
PRE-EMPLOY.COM, INC.

8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

11 ANTONIO A. LOPEZ,  
12 Plaintiff,  
13 v.  
14 PRE-EMPLOY.COM, INC.,  
15 Defendant.

**CASE NO. 2:16-cv-02205-TLN-KJN**  
**FIRST JOINT STIPULATION TO**  
**EXTEND DEADLINE TO COMPLETE**  
**FACT DISCOVERY**

Complaint Filed: September 15, 2016

17 Pursuant to Federal Rules of Civil Procedure, Rule 16(b)(4), and Local Rule 144(d),  
18 Plaintiff Antonio A. Lopez (“Plaintiff”) and Defendant Pre-employ.com, Inc. (“Pre-employ”)  
19 (collectively, the “Parties”), by and through their respective counsel of record, hereby agree and  
20 stipulate to as follows:

- 21 1. On September 15, 2016, Plaintiff filed his Complaint.
- 22 2. On September 16, 2016, this Court issued Summons for Pre-employ and directed  
23 Pre-employ to respond to Plaintiff’s Complaint within 21 days after service of the Summons.
- 24 3. On October 14, 2016, Plaintiff served the Summons and Complaint on Pre-  
25 employ.
- 26 4. On October 26, 2016, pursuant to Local Rule 144(a), Plaintiff and Defendant  
27 stipulated to Defendant’s first request for a 28-day extension to respond to Plaintiff’s Complaint.
- 28 5. On December 2, 2016, Pre-employ filed its Answer to Plaintiff’s Complaint.

1           6.       On January 19, 2017, this Court issued its Pretrial Scheduling Order. ECF No. 10.  
2 The Pretrial Order set the following deadlines:

- 3           a.       Deadline to conduct and complete fact discovery:   February 1, 2018;
- 4           b.       Deadline to disclose expert witnesses:                    April 5, 2018;
- 5           c.       Deadline to hear dispositive motions by:                    August 9, 2018;
- 6           d.       Final Pretrial Conference date:                            November 1, 2018;
- 7           e.       Joint Final Pretrial Conference date:                    October 25, 2018;
- 8           f.       Trial date:    January 7, 2019.

9           7.       According to Federal Rules of Civil Procedure, Rule 16(b)(4), and Local Rule  
10 144(d), the Parties request this Court to extend the deadline to complete fact discovery **to March**  
11 **1, 2018.**

12           8.       Good cause exists to grant this request because the Parties have been diligent in  
13 conducting discovery and have been cooperative throughout the discovery period. To date, the  
14 Parties have served and responded to written discovery, and Pre-employ has subpoenaed the  
15 production of documents from three non-parties. In addition, on December 6, 2017, Pre-employ  
16 issued subpoenas for deposition testimony from two non-parties, but is still coordinating dates to  
17 depose the non-party witnesses. The Parties are also coordinating dates to take Plaintiff's and Pre-  
18 employ's depositions at this time, and do not expect to finish taking all depositions prior to  
19 February 1, 2017. Finally, extending the deadline to complete fact discovery will not require the  
20 Court to extend any additional discovery or scheduling deadlines.

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9. Accordingly, the Parties stipulate to the Court extending the discovery deadline to complete fact discovery to **March 1, 2018**.

**IT IS SO STIPULATED.**

Dated: January 9, 2018

ROPERS, MAJESKI, KOHN & BENTLEY

By: /s/ Lawrence Borys

LAWRENCE BORYS  
TIMOTHY J. LEPORE  
Attorneys for Defendant  
PRE-EMPLOY.COM, INC.

Dated: January 9, 2018

LAW OFFICES OF JOHN B. KEATING

By: /s/ Timothy J. Lepore

(as authorized on January 9, 2018)  
JOHN B. KEATING  
Attorneys for Plaintiff  
ANTONIO A. LOPEZ

**IT IS SO ORDERED.**

Dated: January 11, 2018



Troy L. Nunley  
United States District Judge