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Attorneys for Defendants
DBI BEVERAGE INC. and
DBI BEVERAGE SAN JOAQUIN

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EFRAIN PALACIOS, an individual, on
behalf of himself and all others similarly
situated,

Plaintiff,

v.

DBI BEVERAGE INC., a Tennessee
Corporation; DBI BEVERAGE SAN
JOAQUIN, a California Corporation; and
DOES 1 through 50, inclusive,

Defendants.

Case No. 2:17-cv-00204-JAM-EFB

**JOINT STATUS REPORT AND
STIPULATED ORDER STAYING
DISCOVERY**

In accordance with the Court's Minute Order of April 3, 2017, Plaintiff Efrain Palacios and Defendants DBI Beverage Inc. and DBI Beverage San Joaquin provide the following joint case status update and proposed stipulated order staying discovery.

1 Plaintiff filed his Class Action Complaint on January 9, 2017, alleging a claim
2 under the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.* The Parties submitted
3 their Joint Status Report and Proposed Joint Discovery Plan on March 31, 2017. The
4 Parties' Proposed Joint Discovery Plan indicated the Parties' desire to pursue private
5 mediation.

6 On April 25, 2017, this action was successfully mediated in Sacramento, California
7 with the Honorable Frank C. Damrell, and a class action settlement of Plaintiff's claim
8 was agreed to in principle. The Parties are currently in the process of memorializing and
9 executing a formal settlement agreement.

10 To allow the Parties time to reduce this agreement to writing and to draft corollary
11 documents including appropriate notice to the settlement class, the Parties jointly propose
12 to stay discovery in this matter and to file a Motion for Preliminary Approval of the
13 settlement no later than June 12, 2017.

14 Accordingly, consistent with the Parties' agreement and, in the interest of judicial
15 and litigant economy, the Court hereby orders:

16 a) That discovery in this matter is stayed; and

17 b) That the Parties shall file a Motion for Preliminary Approval of the settlement
18 no later than June 12, 2017.

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20 IT IS SO ORDERED.

21
22 Dated: 5/12/2017

/s/ John A. Mendez

Hon. John A. Mendez, U.S.D.J.

1 Stipulated To By:

2 **Schneider, Wallace, Cottrell,**
3 **Konecky, Wotkyns LLC**

Seyfarth Shaw LLP

4
5 /s/ Jason H. Kim

6 Jason H. Kim

/s/ Esther Slater McDonald

Esther Slater McDonald

7 Attorney for Plaintiff
8 EFRAIN PALACIOS

Attorney for Defendants
DBI BEVERAGE INC. and DBI
BEVERAGE SAN JOAQUIN

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11 DATE: May 12, 2017
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