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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

* * *

JULIAN SMOTHERS, ET AL.,

Plaintiffs,

vs.

NORTHSTAR ALARM SERVICES, LLC,

Defendant(s).

Case No.: 2:17-CV-00548-KJM-KJN

**JOINT STIPULATION TO MODIFY
PRETRIAL SCHEDULING ORDER
AND ORDER**

1 **TO THE HONORABLE JUDGE KIMBERLY J. MUELLER, JUDGE OF THIS**
2 **COURT:**

3 **PLEASE TAKE NOTICE:** Plaintiffs Julian Smothers and Asa Dhadda (collectively
4 “Plaintiffs”), and Defendant Northstar Alarm Services, LLC (“Defendant”), (collectively “the
5 Parties”), hereby jointly stipulate as follows:

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7 WHEREAS, on June 29, 2017, this Court issued a Pretrial Scheduling Order for Class
8 Certification setting, among other things: (1) a discovery cut-off date for November 26, 2017,
9 “with a scope of discovery focused primarily on class certification”; (2) an expert disclosure date
10 of November 27, 2017; and (3) a motion for conditional FLSA certification and class
11 certification filing date of February 26, 2018.

12 WHEREAS, the Parties exchanged initial disclosures on July 6, 2017.

13 WHEREAS, Plaintiffs propounded a Notice of 30(b)(6) Deposition, a set of Request for
14 Production of Documents, and a set of Interrogatories on July 18, 2017.

15 WHEREAS, Defendant provided Plaintiffs with its objections to the deposition notice on
16 August 8, 2017, and therefore with its objections to the requests for production and the
17 interrogatories on August 18, 2017.

18 WHEREAS, Plaintiffs provided Defendant with meet-and-confer letters on August 22,
19 2017, responding to Defendant’s objections.

20 WHEREAS, Plaintiffs reached out to set up a meet and confer call on August 22, 2017.

21 WHEREAS, Defendant responded to Plaintiffs’ request for a meet-and-confer call on
22 August 28, 2017, and agreed to a call on August 30, 2017.

23 WHEREAS, the Parties met and conferred via phone on August 30, 2017, and
24 determined that discovery disputes would need to be resolved by the Court.

25 WHEREAS, Plaintiffs prepared a Joint Statement RE: Discovery Dispute of over 100
26 pages and submitted the same to Defendant for comment and revisions on September 11, 2017.

27 WHEREAS, Defendant provided Plaintiffs with its revisions on September 21, 2017.

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1 WHEREAS, the Parties conferred on the revised Joint Statement RE: Discovery Dispute
2 via phone on September 22, 2017, and agreed on the final draft thereof.

3 WHEREAS the Parties filed the Joint Statement RE: Discovery Dispute with the Court
4 on September 27, 2017.

5 WHEREAS the Court scheduled a hearing on the Joint Statement RE: Discovery Dispute
6 for its earliest available date on October 26, 2017, to resolve issues associated with Plaintiffs'
7 first set of discovery initially propounded in July.

8 WHEREAS this would leave less than one month before the November 26, 2017,
9 discovery cut off date and the November 27, 2017, expert disclosure cut off date.

10 WHEREAS, as documented above, the Parties have been exceedingly diligent in
11 pursuing discovery for a complex nationwide class action.

12 WHEREAS, as documented above, the Parties have been exceedingly diligent in meeting
13 and conferring on a high number of discovery disputes for a complex nationwide class action.

14 WHEREAS, the Parties have met and conferred and agree that good cause exists to
15 modify the current Pretrial Scheduling Order for Class Certification to continue all dates
16 contained therein. Specifically, the Parties request extension of the following dates by a period of
17 not less than four months, including:

- 18 • The November 26, 2017 Discovery Cut Off;
- 19 • The November 27, 2017 Expert Disclosure Cut Off;
- 20 • The December 18, 2017 Rebuttal Expert Disclosure Cut Off;
- 21 • The January 19, 2018 Expert Discovery Cut Off; and
- 22 • The February 26, 2018 Motion for Conditional FLSA Certification and Class
23 Certification Filing Deadline.

24
25 THEREFORE, the Parties jointly stipulate that good cause exists and respectfully request
26 an Order modifying the Pretrial Scheduling Order for Class Certification and continuing all of
27 the above referenced dates contained therein by a period of not less than four months or by any
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1 other period otherwise deemed appropriate by the Court according to its schedule, such that the
2 Parties may resolve the current discovery disputes and obtain meaningful discovery.

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5 Dated: October_20_, 2017

SUTTON HAGUE LAW CORPORATION, P.C.

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7 By: /s/ Anthony Guzman
8 ANTHONY E. GUZMAN II
9 Attorneys for Plaintiffs
10 JULIAN SMOTHERS and ASA DHADDA

11 Dated: October_20_, 2017

MITCHELL BARLOW & MANSFIELD, P.C.

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13
14 By: /s/ Andrew Collins
15 ANDREW COLLINS
16 Attorney for Defendant
17 NORTHSTAR ALARM SERVICES, LLC
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1 ORDER

2 Based on the Stipulation submitted by the Parties, and for good cause showing, the June
3 29, 2017 Pretrial Scheduling Order for Class Certification shall be modified to extend the all
4 dates contained therein as deemed appropriate by this Court. Specifically, the following cut offs
5 shall be continued:
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Cut Off	Original Date	Continued Date
Discovery	November 26, 2017	March 26, 2018
Expert Disclosure	November 27, 2017	March 30, 2018
Rebuttal Expert Disclosure	December 18, 2017	April 20, 2018
Expert Discovery	January 19, 2018	May 21, 2018
Motion for Conditional FLSA Certification and Class Certification	February 26, 2018	June 25, 2018
Hearing on any motion for Conditional FLSA Certification or Class Certification	April 6, 2018	August 6, 2018 at 10:00 in Courtroom No. 3
Further Status Conference to schedule the balance of the case	June 21, 2018	November 2, 2018 at 2:30 in Courtroom No. 3

21 IT IS SO ORDERED.

22 DATED: October 24, 2017.

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25 UNITED STATES DISTRICT JUDGE
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