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 17 SQUAW VALLEY RESORT, LLC

18 **UNITED STATES DISTRICT COURT**
 19 **EASTERN DISTRICT OF CALIFORNIA**

21 JOAO GABRIEL PINTO , an individual, on
 22 behalf of himself and all others similarly
 situated,

23 Plaintiff,

24 vs.

25 SQUAW VALLEY RESORT, LLC, a Delaware
 26 corporation; and DOES 1 through 50, inclusive,

27 Defendants.

Case No. 2:17-cv-02281-MCE-CKD

**JOINT STIPULATION TO EXTEND TIME
 TO RESPOND TO FIRST AMENDED
 COMPLAINT AND ORDER**

Action Filed: September 26, 2017
 Removed: October 30, 2017
 Trial Date: None

1 Plaintiff Joao Gabriel Pinto (“Plaintiff”) and defendant Squaw Valley Resort, LLC (“Squaw
2 Valley”) (together, the “Parties”), by and through their undersigned counsel of record, hereby
3 stipulate as follows:

4 WHEREAS, Plaintiff filed this action against defendant Squaw Valley and defendant KSL
5 Resorts on September 26, 2017 alleging the following eight causes of action as class-wide claims:
6 (1) Failure to Pay Minimum Wages; (2) Failure to Pay Wages and Overtime Under Labor Code §
7 510; (3) Meal-Period Liability Under Labor Code § 226.7; (4) Rest-Break Liability Under Labor
8 Code § 226.7; (5) Violation of Labor Code § 2802; (6) Violation of Labor Code § 226(a); (7)
9 Waiting Time Penalties under Labor Code § 203; and (8) Violation of Business and Professions
10 Code § 17200 *et seq.*;

11 WHEREAS, Plaintiff filed a First Amended Class Action Complaint (the “FAC”) on
12 January 23, 2018 by adding a claim under the Private Attorneys General Act, amending his
13 Complaint to adapt it to a federal forum, and dismissing KSL Resorts;

14 WHEREAS, Squaw Valley’s current deadline to respond to the FAC is February 22, 2018;

15 WHEREAS, Squaw Valley contends that Plaintiff entered into an arbitration agreement that
16 precludes him from pursuing claims in this forum;

17 WHEREAS, while Squaw Valley has indicated that it intends to respond to the FAC by
18 bringing a motion to compel arbitration (if necessary), the Parties have conferred and agree that
19 any motion practice should be deferred until the Supreme Court issues its decision in *Ernst &*
20 *Young LLP v. Morris*, United States Supreme Court Docket No. 16-300 (“*Morris*”); and

21 WHEREAS, the Parties anticipate that the Supreme Court will issue its ruling in *Morris* in
22 the near future.

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1 THEREFORE, the Parties stipulate and request that Squaw Valley's deadline to respond to
2 the FAC be extended by forty-five (45) days, from February 22, 2018, until April 9, 2018.

3 **IT IS SO STIPULATED.**

4 Respectfully submitted,

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6 DATED: February 20 , 2018

DAVID YEREMIAN & ASSOCIATES, INC.

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9 By: /s/ Alvin B. Lindsay (as authorized on
10 2/20/18

David Yeremian
Alvin B. Lindsay

11 Attorneys for Plaintiff
12 JOAO GABRIEL PINTO

13
14 DATED: February 20, 2018

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

15
16
17 By: /s/ Alexander M. Chemers

Lori A. Bowman
Alexander M. Chemers
Kelsey A. Webber

18 Attorneys for Defendant
19 SQUAW VALLEY RESORT, LLC
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ORDER

The Court, having reviewed the Stipulation of the Parties and good cause having been shown, hereby orders that the deadline for defendant Squaw Valley Resort, LLC file a responsive pleading to Plaintiff's First Amended Complaint is hereby extended by forty-five (45) days, from February 22, 2018, until April 9, 2018.

IT IS SO ORDERED.

Dated: February 21, 2018


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE