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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 April 9, 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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THEREFORE, the Parties stipulate and request that Squaw Valley’s deadline to respond to the FAC be extended by forty-five (45) days, from April 9, 2018, until May 24, 2018.

IT IS SO STIPULATED.

Respectfully submitted,

DATED: April 5, 2018

DAVID YEREMIAN & ASSOCIATES, INC.

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

David Yeremian
Alvin B. Lindsay

Attorneys for Plaintiff
JOAO GABRIEL PINTO

DATED: April 5, 2018

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

By: /s/ Alexander M. Chemers

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

Attorneys for Defendant
SQUAW VALLEY RESORT, LLC

ORDER

The Court, having reviewed the Stipulation of the Parties and finding good cause, 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 until April 9, 2018, until May 24, 2018.

IT IS SO ORDERED.

Dated: April 9, 2018


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE

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