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 and all others similarly situated

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16 Attorneys for Defendant  
 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 May 24, 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, the Parties had been waiting for the United States Supreme Court to issue its  
18 ruling in *Epic Systems Corp. v. Lewis*, United States Supreme Court Docket No. 16-285 (“*Epic*”),  
19 which addresses the enforceability of a class-action waiver;

20 WHEREAS, the *Epic* decision was finally issued yesterday, May 21, 2018;

21 WHEREAS, while the *Epic* decision may obviate the need for Squaw Valley to bring a  
22 motion to compel arbitration, the Parties need a short period of time to analyze the *Epic* decision  
23 and to meet and confer;

24 WHEREAS, a short continuance of Squaw Valley’s response deadline would permit the  
25 parties to exhaust their meet-and-confer efforts prior to engaging in motion practice.

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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 twenty-one (21) days, from May 24, 2018, until June 14, 2018.

3            **IT IS SO STIPULATED.**

4            Respectfully submitted,

5  
6 DATED: May 22, 2018

DAVID YEREMIAN & ASSOCIATES, INC.

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By: /s/ Alvin B. Lindsay (as authorized on  
5/22/18

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David Yeremian  
Alvin B. Lindsay

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Attorneys for Plaintiff  
JOAO GABRIEL PINTO

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14 DATED: May 22, 2018

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

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By: /s/ Alexander M. Chemers

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

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Attorneys for Defendant  
SQUAW VALLEY RESORT, LLC

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**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 twenty-one (21) days, from May 24, 2018, until June 14, 2018.

IT IS SO ORDERED.

Dated: May 23, 2018

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE