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9 **UNITED STATES DISTRICT COURT**  
 10 **EASTERN DISTRICT OF CALIFORNIA**

12 RANDALL BUTLER,  
 13 Plaintiff,  
 14 v.  
 15 CENTRAL TRANSPORT, LLC,  
 16 DOES 1 to 20,  
 17 Defendants.

Case No. 17-cv-02710-KJM-CMK

**JOINT STIPULATION AND ORDER  
 REGARDING DISCOVERY  
 DISCLOSURES**

1 Plaintiff Randall Butler (“Plaintiff”) and Defendant Central Transport, LLC  
2 (“Defendant”) (collectively referred to as “the parties”) hereby enter into the following  
3 Stipulation regarding discovery disclosures:

4 WHEREAS, on May 3, 2018, Plaintiff indicated that intended to amend his  
5 Complaint to bring class and/or collective action claims against Defendant;

6 WHEREAS, on May 10, 2018, the parties attended the Court’s Initial  
7 Scheduling Conference; and,

8 WHEREAS, at the Initial Scheduling Conference, the parties agreed to engage  
9 in certain discovery to allow Plaintiff to determine whether he intends to file a motion  
10 to amend his pleadings to bring class and/or collective action claims against  
11 Defendant.

12 WHEREAS, on May 25, 2018, the parties entered into a stipulation, where  
13 Defendant agreed to provide responses to Plaintiff’s Interrogatories and Requests for  
14 Production within 40 days of the Court’s approval of the Stipulation.

15 WHEREAS, the Court approved this Stipulation on June 6, 2018.

16 WHEREAS, the parties have revised the language of Plaintiff’s Request for  
17 Production as stated below from “exempt” to “non-exempt.”

18 WHEREAS, Defendant has requested and Plaintiff has agreed to provide, upon  
19 the Court’s approval of this Stipulation, a two-week extension for Defendant to  
20 provide this information in order to ensure that Defendant is able to provide complete  
21 and full discovery responses.

22 WHEREAS, Defendant has requested a settlement demand from Plaintiff and  
23 believes settlement discussions will be facilitated once Plaintiff has Defendant’s  
24 complete and full discovery responses.

25 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and  
26 between the parties, and respectfully requested that the Court approve the same:

27 1. Defendant shall have a two-week extension to answer Plaintiff’s  
28 interrogatories and respond to Plaintiff’s request for production listed below:

1           **Interrogatory No. 1:**

2           As to any location in any state where Defendant Central Transport, LLC  
3 employs a terminal manager or any person in a similar position, please list the address  
4 of each location and the number of such persons at each location.

5           **Interrogatory No. 2:**

6           Please state all facts upon which you base your claim that Plaintiff Randall  
7 Butler was an employee exempt from the wage and hour laws of California.

8           **Request for Production:**

9           Please produce all writings upon which you base your denial that Plaintiff  
10 Randall Butler was an employee non-exempt from the wage and hour laws of  
11 California.

12           Nothing contained herein shall constitute a waiver of any privilege. Defendant  
13 shall provide a privilege log as to any information or document it declines to provide  
14 based on privilege.

15           2.     Upon receipt of the information from Defendant, Plaintiff shall have 40  
16 days to inform the Court whether Plaintiff intends to amend his Complaint. If no  
17 motion to amend is filed, the parties shall file a joint status report within the next  
18 fourteen (14) days providing all the information called for by the Court's standing  
19 orders.

20           3.     Other than the discovery described herein, all other discovery shall be  
21 stayed until Plaintiff determines whether he will amend his Complaint. In the event  
22 Plaintiff moves to amend his Complaint, the parties agree that discovery shall be  
23 stayed until the Court determines whether Leave to Amend should be granted.

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DATED: July 16, 2018

LAW OFFICES OF MICHAEL COGAN

By: /s/ Michael Cogan (as authorized on 7/16/18)  
Michael Cogan  
Attorneys for Plaintiff  
Randall Butler

DATED: July 16, 2018

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

By: /s/ Alis M. Moon  
Christian Keeney  
Alis M. Moon  
Attorneys for Defendant  
Central Transport, LLC

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PURSUANT TO THE STIPULATION made and entered into by, between, and among the parties to the above-entitled action, as outlined above,

**IT IS SO ORDERED.**

DATED: July 23, 2018.

  
UNITED STATES DISTRICT JUDGE