

1 R. PARKER WHITE (SB# 95579)  
2 BRELSFORD ANDROVICH & WHITE  
3 1001 G Street, Suite 301  
4 Sacramento, CA 95814  
5 Telephone: (916) 449-1300  
6 Facsimile: (916) 449-1320

7 Attorney for Plaintiff  
8 RONALD WEAVER

9 ELIZABETH A. BROWN (SB# 235429)  
10 lisabrown@gbgllp.com  
11 PAUL D. KIND (SB# 307322)  
12 paulkind@gbgllp.com  
13 GBG LLP  
14 633 West 5th Street, Suite 3330  
15 Los Angeles, CA 90071  
16 Telephone: (213) 358-2810  
17 Facsimile: (213) 995-6382

18 Attorneys for Defendant  
19 BIMBO BAKERIES USA, INC.

20 UNITED STATES DISTRICT COURT  
21 EASTERN DISTRICT OF CALIFORNIA

22 RONALD WEAVER,

23 Plaintiff,

24 vs.

25 BIMBO BAKERIES, USA, INC., an Ohio  
26 corporation, and DOES 1 through 30, inclusive,

27 Defendants.

Case No. 2:18-CV-00303-MCE-EFB

**STIPULATION AND ORDER TO  
EXTEND DEADLINE TO COMPLETE  
DISCOVERY**

Dept.: 7  
Judge: Hon. Morrison C. England, Jr.

1 By and through their respective attorneys of record, Plaintiff Ronald Weaver (“Plaintiff”)  
2 and Defendant Bimbo Bakeries USA (“Defendant”) (collectively, “the Parties”) stipulate and  
3 agree as follows:

4 WHEREAS Plaintiff filed the present action in the Superior Court of California, County  
5 of Sacramento, on December 27, 2017.

6 WHEREAS Plaintiff served his complaint on January 10, 2018, and Defendant removed  
7 the action to the United States District Court for the Eastern District of California on February 8,  
8 2018 (Dkt. 1);

9 WHEREAS on February 14, 2018, Defendant filed a Motion to Dismiss Plaintiff’s  
10 Complaint with Prejudice (Dkts. 8 through 9-1);

11 WHEREAS on April 24, 2018, the Court granted Defendant’s Motion to Dismiss with  
12 leave to amend (Dkt. 14);

13 WHEREAS on June 7, 2018, Plaintiff filed his Amended Complaint for Damages  
14 (Dkt. 15) and on June 21, 2018, the Parties entered into a Stipulation allowing Plaintiff to file a  
15 Second Amended Complaint (Dkt. 16);

16 WHEREAS on June 26, 2018, Plaintiff filed his Second Amended Complaint for  
17 Damages (Dkt. 17);

18 WHEREAS on July 10, 2018, Defendant filed a Motion to Dismiss Plaintiff’s Second  
19 Amended Complaint with Prejudice (Dkts. 18 through 20);

20 WHEREAS on March 29, 2019, the Court granted Defendant’s Motion to Dismiss with  
21 leave to amend (Dkt. 27);

22 WHEREAS on April 25, 2019, Plaintiff filed a Third Amended Complaint for Damages  
23 (Dkt. 28);

24 WHEREAS on May 9, 2019, Defendant filed a Motion to Dismiss Plaintiff’s Third  
25 Amended Complaint with Prejudice (Dkts. 31 and 31-1);

26 WHEREAS on May 10, 2019, the Court issued a Minute Order that the June 13, 2019  
27 hearing is vacated and the motion is submitted without appearance and argument (Dkt. 32);

28 WHEREAS on May 28, 2019, Plaintiff filed his opposition to Defendant’s Motion to

Dismiss (Dkt. 36), and, on June 6, 2019, Defendant filed its Reply Memorandum in Support of its Motion to Dismiss (Dkt. 37);

WHEREAS the Parties agree that the deadline to complete discovery should be extended by an additional 120 days– i.e., to December 19, 2019 – to allow the Parties sufficient time to conduct discovery and further pleading challenges if necessary; and

WHEREAS the Parties make this request for a deadline extension in the interests of judicial economy, to account for the length of pleading challenges in this matter, and to otherwise avoid the unreasonable consumption of the Court’s and the Parties’ time to ensure that the Parties are not forced to conduct discovery while the pleadings remain uncertain and/or to ensure that the Parties are able to conduct discovery and prepare the case for disposition.

THEREFORE, the Parties stipulate and agree that the deadline to complete discovery shall be extended up to and including December 19, 2019.

DATED: August 21, 2019

BRELSFORD ANDROVICH & WHITE

BY: R. Parker White  
PARKER WHITE

Attorneys for Plaintiff  
RONALD WEAVER

The undersigned attests that the signatory listed above concurs in the content of this document and has authorized its filing.

DATED: August 21, 2019

GBG LLP

BY: /s/ Elizabeth A. Brown  
ELIZABETH A. BROWN

Attorneys for Defendant  
BIMBO BAKERIES USA, INC.

//


//

## ORDER

1 Pursuant to Stipulation (ECF No. 38), and for good cause, the Parties' request to extend  
2 the deadline to complete discovery up to and including **December 19, 2019** is GRANTED.

3 IT IS SO ORDERED.

4 Dated: August 28, 2019

5   
6 MORRISON C. ENGLAND, JR.  
7 UNITED STATES DISTRICT JUDGE  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28