

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

LEVETRA MILLS, an individual,

Plaintiff,

vs.

ENCORE RESTAURANTS, LLC.; FIVE GUYS ENTERPRISES, LLC; ENCORE ENTERPRISES, INC.; ENCORE FGBF, LLC; ENCORE FGBF COLORADO, LLC; ENCORE FGBF OKLAHOMA, LLC; and DOES 1-100, inclusive,

Defendants.

Case No.: 2:18-cv-01623-MCE-KJN

ORDER TO STAY LITIGATION PENDING COMPLETION OF SETTLEMENT NEGOTIATIONS AND/OR MEDIATION, AND TOLLING OF FLSA CLAIM

Having reviewed the terms of the Parties' Stipulation (ECF No. 13), and for good cause shown, IT IS HEREBY ORDERED that:

(1) This litigation is stayed pending completion of informal settlement negotiations and/or mediation through **February 1, 2019**.

(2) The statute of limitations on the FLSA Claim is tolled from June 5, 2018 through **February 1, 2019**.

(3) The Parties shall file an updated joint status report with the Court by **February 15, 2019**, and every sixty (60) days thereafter, regarding the outcome of their negotiations. If the case is settled, the Parties shall include a proposed schedule for filing the motion for preliminary approval of the settlement in the joint status report.

///

1 (4) If the case does not settle, the Parties shall include a proposed schedule for further
2 litigation including deadlines for the filing and responding to class certification motions.

3 IT IS SO ORDERED.

4 Dated: October 25, 2018

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