

1 CAROLYN F. MCNIVEN (SBN 163639)
 BRIAN Q. HALL (SBN 318209)
 2 GREENBERG TRAUERIG, LLP
 Four Embarcadero Center, Suite 3000
 3 San Francisco, CA 94111
 Telephone: (415) 655-1300
 4 Facsimile: (415) 707-2010
 mcnivenc@gtlaw.com
 5 hallbri@gtlaw.com

6 TODD PICKLES (SBN 215629)
 GREENBERG TRAUERIG, LLP
 7 1201 K Street, Suite 1100
 Sacramento, California 95814
 8 Telephone: 916.442.1111
 Facsimile: 916.448.1709
 9 picklest@gtlaw.com

10 Attorneys for Defendants AT&T Corp,
 AT&T Inc., AT&T Mobility LLC,
 11 AT&T Mobility II LLC, and AT&T
 Services, Inc., DIRECTV, LLC, NEW
 12 CINGULAR WIRELESS PCS, LLC, and
 PACIFIC BELL TELEPHONE COMPANY
 13

14 **UNITED STATES DISTRICT COURT**
 15 **EASTERN DISTRICT OF CALIFORNIA**
 16 **SACRAMENTO DIVISION**
 17

18 UNITED STATES OF AMERICA, *ex rel.*
 DONALD CLOYCE WAGDA,

19 Plaintiff,

20 v.

21 AT&T CORP., a corporation, AT&T INC., a
 22 corporation, AT&T MOBILITY LLC, a
 corporation, AT&T MOBILITY II LLC, a
 23 corporation, AT&T SERVICES, INC., a
 corporation, DIRECTV, LLC, a corporation,
 24 NEW CINGULAR WIRELESS PCS, LLC, a
 corporation, PACIFIC BELL TELEPHONE
 25 COMPANY, a corporation, and DOES 1-100,
 jointly and severally,

26 Defendants.
 27
 28

CASE NO. 2:19-cv-1057-JAM-AC

**STIPULATION AND ORDER TO EXTEND
 DEADLINES TO RESPOND TO
 COMPLAINT AND SUBMIT JOINT
 STATUS REPORT**

Assigned to Hon. John A. Mendez

Action Filed: June 10, 2019

1 **STIPULATION TO EXTEND DEADLINE TO RESPOND TO COMPLAINT AND SUBMIT**

2 **JOINT STATUS REPORT**

3 Plaintiff DONALD CLOYCE WAGDA (“Plaintiff”) and Defendants AT&T CORP., AT&T
4 INC., AT&T MOBILITY LLC, AT&T MOBILITY II LLC, AT&T SERVICES, INC., DIRECTV, LLC,
5 NEW CINGULAR WIRELESS PCS, LLC, and PACIFIC BELL TELEPHONE COMPANY
6 (collectively “Defendants”) (and, together with Plaintiff, the “Parties”), by and through their respective
7 counsel, hereby stipulate as follows:

8 1. WHEREAS, on or about June 10, 2019, Plaintiff filed this action under seal in this Court;

9 2. WHEREAS, on September 24, 2021, the Court unsealed the Complaint and issued the
10 Summons [DKT. 20, 21];

11 3. WHEREAS, Plaintiff served Defendants with the Summons and Complaint on December
12 20, 2021, and Defendants’ deadline to respond to the Complaint was originally set for January 10, 2022
13 [DKT. 27];

14 4. WHEREAS, On January 3, 2022, Plaintiff and Defendants filed their Stipulation for Initial
15 Extension of Time to Respond to Complaint, which extended Defendants’ deadline to file a responsive
16 pleading by 28 days, until February 7, 2022 [DKT. 23];

17 5. WHEREAS, on January 28, 2020, the Court Ordered the Parties to file a Joint Status
18 Report pursuant to the provisions of Fed. R. Civ. P. 16 and 26, in accordance with Local Rule 240 and
19 the Court’s Order Requiring Service of Process and Joint Status report by February 11, 2022 [DKT 28];

20 6. WHEREAS, Defendants’ undersigned counsel did not become involved in this case until
21 January 31, 2022;

22 7. WHEREAS it would be in the best interest of all Parties and the Court to allow defense
23 counsel additional time to investigate Plaintiff’s allegations and narrow the issues in dispute;

24 8. WHEREAS it would also be in the best interest of all Parties and the Court to allow the
25 Parties additional time to meet and confer in advance of submitting their Joint Status Report.

26 9. WHEREAS, Defendants have requested, and Plaintiff has agreed, to an additional 14 days
27 to respond to the Complaint;

1 **NOW, THEREFORE**, it is hereby stipulated and agreed, pursuant to Local Rule 143, that the
2 time in which Defendants may answer or other respond to Plaintiff's Complaint is extended for 14 days,
3 to and including February 21, 2022 and the Parties deadline to submit the Joint Status Report is extended
4 for 14 days, to and including February 25, 2022. It is further stipulated and agreed that Defendants waive
5 any objections to the absence or service of summons, and that the filing of this Stipulation does not
6 constitute an appearance by Defendants for the purposes of assertion of the Court's personal jurisdiction,
7 nor waive any objection to personal jurisdiction or venue.

8 IT SO STIPULATED AND SO REQUESTED.

9
10 DATED: February 2, 2022

GREENBERG TRAURIG, LLP

11
12 By: /s/ Brian Q. Hall

CAROLYN F. MCNIVEN
TODD PICKLES
BRIAN Q. HALL

13
14 *Attorneys for Defendants*

15 DATED: February 2, 2022

DONALD CLOYCE WAGDA

16
17 By: /s/Donald Cloyce Wagda (as authorized on 2/2/22)

DONALD CLOYCE WAGDA

18
19 *Pro Se Plaintiff and Qui Tam Relator*
547 Blackhawk Club Drive
Danville, California 94506
Telephone: (650) 644-7151
donald@wagdalaw.com
20
21
22
23
24
25
26
27
28

1 **ORDER**

2 This matter came before the Court on the Parties' stipulation to extend Defendants' deadline to
3 answer or otherwise respond to Plaintiff's Complaint and the Parties' deadline to file a Joint Status
4 Report. For the reasons stated in the stipulation and good cause showing, the Court ADOPTS the parties'
5 stipulated schedule.

6 Accordingly, IT IS HEREBY ORDERED THAT Defendants shall answer or otherwise respond
7 to Plaintiff's Complaint on or before February 21, 2022 and the Parties shall file their Joint Status Report
8 on or before February 25, 2022.

9 IT IS SO ORDERED.

10
11 DATED: February 3, 2022

/s/ John A. Mendez

12 _____
13 THE HONORABLE JOHN A. MENDEZ
14 UNITED STATES DISTRICT COURT JUDGE
15
16
17
18
19
20
21
22
23
24
25
26
27
28