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6 Attorneys for Defendants
 TAK COMMUNICATIONS CA, INC. AND
 7 LARRY L. WRAY

8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10
 11 CONNOR DALTON and ANTHONY
 12 SAMANO, as participants in and on
 behalf of the O.C. Communications
 13 Employee Partnership Program Plan and
 Trust, and on behalf of a class of all
 14 others who are similarly situated,

15 Plaintiffs,

16 v.

17 FORREST C. FREEMAN (aka CRAIG
 FREEMAN); ALERUS FINANCIAL,
 18 N.A.; CARLA FREEMAN; LARRY L.
 WRAY; REGINAL D. WRIGHT; RICK
 19 WYLIE; DON YEE; JOHN DOES 1-50;
 O.C. COMMUNICATIONS, INC.; and
 20 TAK COMMUNICATIONS CA, INC,

21 Defendants.

Case No. 2:22-CV-00847-JAM-DMC

**STIPULATION AND ORDER TO
 EXTEND TIME TO RESPOND TO
 PLAINTIFFS' COMPLAINT**

Complaint Filed: May 18, 2022

22
 23 Plaintiffs CONNOR DALTON AND ANTHONY SAMANO (“Plaintiffs”) and
 24 Defendant TAK COMMUNICATIONS CA, INC. (“Defendant” or “TAK”)
 25 (collectively, the “Parties”) hereby jointly stipulate as follows:

26 WHEREAS, Plaintiffs filed their Complaint against Defendant, among other
 27 defendants, on May 18, 2022, in the United States District Court for the Eastern District
 28 of California;

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STIPULATION AND ORDER TO EXTEND
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 COMPLAINT

CASE NO. 2:22-CV-00847-JAM-DMC

1 WHEREAS, Defendant TAK Communications CA, Inc. was deemed served with
2 the Complaint on June 8, 2022, and its response to the Complaint was originally due on
3 June 29, 2022;

4 WHEREAS, the Parties agreed to a thirty-day extension for Defendants to
5 respond to the Complaint through and including July 29, 2022, and submitted a
6 Stipulation and Proposed Order to that effect which the Court granted and entered on
7 July 6 (*see* Doc. 5; Doc. 6)¹;

8 WHEREAS during the extended period of time granted for Defendant to respond
9 to the Complaint, the Parties have conferred with each other regarding whether TAK is
10 an appropriate defendant to be included in this matter, and have discussed voluntarily
11 exchanging information with each other bearing on this issue and which could lead to
12 an agreement that TAK is not a proper defendant and, potentially, dismissal of TAK
13 from this matter;

14 WHEREAS, the Parties would like a brief extension of time to continue this
15 ongoing dialogue and exchange of information to facilitate those discussions (including
16 time necessary to discuss a confidentiality arrangement for data to be exchanged),
17 particularly given that counsel for both Plaintiffs and Defendant had pre-planned
18 vacations during the early part of July; and

19 WHEREAS, the Parties confirm for the Court that this Stipulation and Proposed
20 Order are not submitted for purposes of delay, but expressly for the purposes of
21 continuing ongoing dialogue that may result in TAK being dismissed as a defendant in
22 this matter or, at minimum, streamlining the allegations and claims regarding TAK in a
23 way that will facilitate the litigation moving forward.

24 NOW, THEREFORE, the Parties have agreed to extend and jointly request that

25 _____
26 ¹ The original Stipulation and Proposed Order included Defendant Larry Wray, because at that time
27 there was a question regarding whether Mr. Wray had been served with the Complaint. Subsequently
28 it has been determined that Mr. Wray has not yet been served with the Complaint, accordingly, the
Parties are not requesting herein a further extension of time for Mr. Wray to respond to the Complaint.
Instead, counsel for Defendant has agreed to work with counsel for Plaintiffs to execute a waiver of
service for Mr. Wray and his deadline to respond to the Complaint will be established through that
process.

1 the Court extend the deadline for Defendant to respond to Plaintiffs' Complaint by 21
2 days from July 29, 2022 to August 19, 2022.

3
4 **IT IS SO STIPULATED.**

5
6 Dated: July 27, 2022

SCHNEIDER WALLACE COTTRELL
KONECKY LLP

7
8
9 /s/ James Bloom (as authorized on July , 2022)
James Bloom

10 Attorneys for Plaintiffs
11 CONNOR DALTON AND ANTHONY
SAMANO

12 Dated: July 27, 2022

LITTLER MENDELSON P.C.

13
14 /s/ Dominique N. Thomas
15 Dominique N. Thomas

16 Attorneys for Defendants
17 TAK COMMUNICATIONS CA, INC. AND
LARRY L. WRAY

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ORDER

IT IS SO ORDERED.

Dated: July 28, 2022

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE