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15	UNITED STATES DISTRICT COURT		
16	FOR THE NORTHERN DISTRICT OF CALIFORNIA		
17			
18	CRELENCIO CHAVEZ and JOSE	Case No. C-09-04812 SC-DMR	
19	ZALDIVAR, an individual and on behalf of all others similarly situated,	JOINT STIPULATION AND [PROPOSED] ORDER RE PLAINTIFFS' MOTION TO	
20	Plaintiffs,	QUASH DEFENDANT'S DEPOSITION	
21	vs.	SUBPOENA TO CARLOS ALVA Location: Courtroom 1, 17th Floor Judge: Hon. Donna M. Ryu	
22	LUMBER LIQUIDATORS, INC. a Delaware Corporation; and DOES 1 through 20, inclusive,		
23			
24	Defendants.		
25			
26			
27			
28			
	Case No. C-09-04812 SC JOINT STIPULATION RE PLAINTIFFS' MOTION TO QUASH DEFENDANT'S DEPOSITION SUBPOENA		
	TO CARLOS ALVA		

1	Pursuant to this Court's Notice of Reference and Order re Discovery Procedures, Plaintiffs	
2	Crelencio Chavez and Jose Zaldivar ("Plaintiffs") and Defendant Lumber Liquidators, Inc.	
3	("Defendant") (collectively, the "parties") represent and agree as follows:	
4	WHEREAS, on February 29, 2012, Plaintiffs filed a Motion to Quash Defendant's	
5	Deposition Subpoena to Carlos Alva ("Motion").	
6	WHEREAS, on March 2, 2012, pursuant to Local Rule 6-3, Defendants filed an	
7	Unopposed Motion to Shorten Time to Hear Plaintiffs' Motion to Quash Deposition Subpoena.	
8	WHEREAS, on March 5, 2012, the Court referred the subject of Plaintiffs' Motion and all	
9	further discovery matters to a Magistrate Judge to be heard and considered at the convenience of	
10	his or her calendar.	
11	WHEREAS, on March 5, 2012, the Court issued a Notice of Reference and Order Re	
12	Discovery Procedures, pursuant to which the parties are required to submit a joint letter regarding	
13	the instant discovery dispute by March 9, 2012.	
14	WHEREAS, pursuant to the Court's Notice of Reference and Order Re Discovery	
15	Procedures, the parties have met and conferred telephonically regarding the subject of Mr. Alva's	
16	deposition.	
17	WHEREAS, as a result of meeting and conferring, Plaintiffs agree to produce Mr. Alva	
18	for deposition on Wednesday, March 14, 2012 at 10:00 a.m. at the law offices of Morgan Lewis	
19	& Bockius, located at 300 South Grand Avenue, Los Angeles, California, 90071, (415) 612-2500	
20	WHEREAS, the parties agree that the scope of the deposition shall encompass any non-	
21	privileged matter that is relevant to either party's claim or defense to the class certification issues,	
22	including, but not limited to, the two declarations recently submitted to the Court by Mr. Alva,	
23	the nature of his relationship with both of the named Plaintiffs, and the existence, description,	
24	nature, custody, condition, and location of any documents and the identity and location of persons	
25	who know of any discoverable matter.	
26	WHEREAS, in order to avoid further potential delay, the parties agree that in the event	
27	any disputes arise during the deposition of Mr. Alva on March 14, 2012, they will contact the	
28	Clerk for the Magistrate Judge during the deposition and request a telephone conference so that, if	
	JOINT STIPULATION RE PLAINTIFFS' MOTION TO QUASH DEFENDANT'S DEPOSITION SUBPOENA TO CARLOS ALVA	

1	she is available, the parties' dispute may be resolved by the Magistrate Judge immediately during			
2	the deposition via telephonic hearing and there will be no further delays in obtaining Mr. Alva's			
3	3 deposition testimony.	deposition testimony.		
4	4 IT IS SO STIPULATED			
5				
6	6 Dated: March 9, 2012	MORGAN, LEWIS & BOCKIUS LLP		
7				
8	8	By /S/ Eric Meckley Eric Meckley		
9	9	Jennifer Svanfeldt		
10	0	Attorneys for Defendant Lumber Liquidators, Inc.		
11	1 Dated: March 9, 2012	TAFOYA & GARCIA LLP		
12	2			
13	3	By /S/ David A. Garcia David A. Garcia		
14				
15	5	Attorneys for Plaintiffs Crelencio Chavez and Jose Zaldivar		
16	6			
17	7			
18	8 PURSUANT TO STIPULATION, IT IS	PURSUANT TO STIPULATION, IT IS SO ORDERED.		
19	9 Dated: March 9, 2012	me		
20	Dated:	The Honorable Donna M. Ryu		
21	21	United States Magistrate Judge		
22	22			
23	23			
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	JOINT STIPULATION RE PLAINTIFFS' MOTION TO	OUASH DEFENDANT'S DEPOSITION SURPOENA		