

1 MORGAN, LEWIS & BOCKIUS LLP
 ERIC MECKLEY, SBN 168181
 2 JENNIFER SVANFELDT, SBN 233248
 One Market, Spear Street Tower
 3 San Francisco, CA 94105-1126
 Tel: 415.442.1000
 4 Fax: 415.442.1001
 emeckley@morganlewis.com
 5 jsvanfeldt@morganlewis.com

6 Attorneys for Defendant
 LUMBER LIQUIDATORS, INC.

8 ROBERT TAFOYA, Esq., SBN 194444
 DAVID GARCIA, Esq., SBN 218356
 9 TAFOYA & GARCIA LLP
 316 W. 2nd St., Suite 1000
 10 Los Angeles, CA 90012
 Tel: 213.617.0600
 11 Fax: 213.617.2226
 robert@tafoyagarcia.com
 12 david@tafoyagarcia.com

13 Attorneys for Plaintiffs
 CRELENCIO CHAVEZ and JOSE ZALDIVAR

15 UNITED STATES DISTRICT COURT
 16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

18 CRELENCIO CHAVEZ and JOSE
 ZALDIVAR, an individual and on behalf
 19 of all others similarly situated,

20 Plaintiffs,

21 vs.

22 LUMBER LIQUIDATORS, INC. a
 Delaware Corporation; and DOES 1
 23 through 20, inclusive,

24 Defendants.

Case No. C-09-04812 SC-DMR

**JOINT STIPULATION AND [PROPOSED]
 ORDER RE PLAINTIFFS' MOTION TO
 QUASH DEFENDANT'S DEPOSITION
 SUBPOENA TO CARLOS ALVA**

Location: Courtroom 1, 17th Floor
 Judge: Hon. Donna M. Ryu

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

