

1 Scott P. Jang (State Bar No. 260191)
 Hardev S. Chhokar (State Bar No. 311802)
 2 JACKSON LEWIS P.C.
 50 California Street, 9th Floor
 3 San Francisco, California 94111-4615
 Telephone: (415) 394-9400
 4 Facsimile: (415) 394-9401
 E-mail: Scott.Jang@jacksonlewis.com
 5 E-mail: Hardev.Chhokar@jacksonlewis.com

6 Attorneys for Defendant
 LHOIST NORTH AMERICA OF ARIZONA, INC.

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 RICK OLAGUIBEL,
 12 Plaintiff,
 13 v.
 14 LHOIST NORTH AMERICA, a Corporation
 doing business in the State of California and
 15 Does 1-50, Inclusive,
 16 Defendants.

Case No. 3:18-cv-07655 MMC JCS

NOTICE OF SETTLEMENT
STIPULATION AND ~~PROPOSED~~
ORDER RE: DEFENDANT’S MOTION
TO COMPEL AND MOTION FOR
SANCTIONS

Complaint Filed: November 21, 2018
 Trial Date: June 15, 2020

18
19
20
21
22
23
24
25
26
27
28

1 Plaintiff Rick Olaguibel (“Plaintiff”) and Defendant Lhoist North America of Arizona,
2 Inc. (erroneously sued as Lhoist North America) (“Defendant”) have reached a settlement and are
3 working on finalizing a written settlement agreement. Accordingly, the Parties hereby stipulate
4 and request the Court grant the following:

5 1. The Parties shall work to finalize a written settlement agreement. The Parties will
6 file a status report with the Court within 60 days if the case has not been dismissed pursuant to the
7 terms of the Parties’ settlement agreement.

8 2. Defendant’s motion to compel (ECF No. 42) and motion for sanctions (ECF No.
9 43), which are currently set for hearing on October 25, 2019, are held in abeyance. In the event
10 the Parties inform the Court that a final settlement agreement could not be reached, the Court will
11 set a new opposition deadline and reschedule the hearing on Defendant’s motions. Defendant’s
12 right to pursue the matters encompassed by the motions will not be affected or prejudiced by the
13 current October 22, 2019, discovery deadline.

14 3. In the event the Parties inform the Court that a final settlement agreement could
15 not be reached, the fact discovery deadline for Defendant shall be extended to a reasonable date
16 set by the Court.

17 **IT IS SO STIPULATED.**

18 Dated: October 4, 2019

JACKSON LEWIS P.C.

19
20 By: /s/ Scott P. Jang¹
21 Scott P. Jang
22 Attorneys for Defendants
LHOIST NORTH AMERICA OF
ARIZONA, INC.

23
24 Dated: October 4, 2019

RICK OLAGUIBEL

25
26 By: /s/ Rick Olaguibel
27 Proceeding *Pro Se*

28 ¹ Pursuant to Local Rule 5-1(i), the ECF-filing party attests that concurrence in the filing of this document has been obtained from each of the signatories.

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

PROPOSED ORDER

Pursuant to the Parties' stipulation, and good cause appearing, the Court orders as follows:

1. The Parties shall work to finalize a written settlement agreement. The Parties shall file a status report with the Court within 60 days of the date of this order if the case has not been dismissed pursuant to the terms of the Parties' settlement agreement.

2. Defendant's motion to compel (ECF No. 42) and motion for sanctions (ECF No. 43), which are currently set for hearing on October 25, 2019, are ^{deemed withdrawn without prejudice.} ~~held in abeyance.~~ In the event the Parties inform the Court that a final settlement agreement could not be reached, the ~~Court will~~ ^{motions may be renoticed for} ~~set a new opposition deadline and reschedule the hearing on Defendant's motions.~~ Defendant's right to pursue the matters encompassed by the motions will not be affected or prejudiced by the current October 22, 2019, discovery deadline.

3. In the event the Parties inform the Court that a final settlement agreement could not be reached, the fact discovery deadline for Defendant shall be extended to a reasonable date set by the Court.

IT IS SO ORDERED.

Date: October 10, 2019



Senior U.S. District Court Judge Maxine M. Chesney

4841-8219-8697, v. 4