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9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 OAKLAND DIVISION

12 RICHARD GAYTAN, ) No. C 07-6367 SBA  
 )  
 13 Plaintiff, )  
 )  
 14 v. )  
 )  
 15 HILDA SOLIS, Secretary of Labor, )  
 )  
 16 Defendant. )  
 )  
 17 \_\_\_\_\_ )

**STIPULATION AND ORDER TO SET  
 DATE FOR MR. GAYTAN'S  
 DEPOSITION AND TO CONTINUE  
 FACT DISCOVERY AND EXPERT  
 DISCLOSURES DEADLINE**

18  
 19 IT IS HEREBY STIPULATED by and between the undersigned, subject to the approval  
 20 of the Court, that (1) Mr. Gaytan will be deposed on November 3, 2011 and (2) the deadline for  
 21 completing fact discovery and and expert disclosures is extended from December 23, 2011 to  
 22 January 31, 2012.

23 This stipulation was agreed to at the request of counsel for Defendant. Mr. Gaytan had  
 24 been scheduled to be deposed on July 14, 2011, but the deposition was rescheduled at Mr.  
 25 Gaytan's request. Mr. Gaytan's deposition has been repeatedly been set and then rescheduled at  
 26 Mr. Gaytan's request due to personal issues Mr. Gaytan has faced. Mr. Gaytan is available for  
 27 deposition on November 3, 2011. Defendant has been wanting to take Mr. Gaytan's deposition  
 28

1 earlier than that because Defendant will need to conduct some additional discovery after Mr.  
2 Gaytan's deposition, the precise nature of which discovery will be dependent upon the content of  
3 Mr. Gaytan's testimony. Defendant is willing to proceed with Mr. Gaytan's deposition on  
4 November 3, 2011, the date preferable to him, if the fact discovery deadline and expert  
5 disclosure deadline can be moved to January 31, 2012. The parties do not believe that any other  
6 dates set by the Court would need to be continued because of this stipulation.  
7

8 DATED: October 14, 2011 By:       /s/ Richard Gaytan        
9 RICHARD GAYTAN  
10 Plaintiff


11  
12 MELINDA HAAG  
13 United States Attorney

14 DATED: October 14, 2011 By:       /s/ Michael T. Pyle        
15 MICHAEL T. PYLE  
16 Assistant United States Attorney  
17 Attorneys for Defendant

18 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

19 Plaintiff Mr. Gaytan is to be deposed commencing at 11:00 a.m. on November 3, 2011 at  
20 Defendant counsel's office. The fact discovery and expert disclosure deadline is continued from  
21 December 23, 2011 to January 31, 2012. All other dates previously set by the Court remain in  
22 place.  
23

24 DATED:10/18/11

25   
26 HON. SANDRA BROWN ARMSTRONG  
27 United States District Chief Judge  
28

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

4 GAYTAN et al,  
5 Plaintiff,

Case Number: CV07-06367 SBA

**CERTIFICATE OF SERVICE**

6 v.

7 SOLIS et al,  
8 Defendant.

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
10 Court, Northern District of California.

11 That on October 20, 2011, I SERVED a true and correct copy(ies) of the attached, by placing  
12 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by  
13 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office  
14 delivery receptacle located in the Clerk's office.

15 Richard Gaytan  
16 433 Red Lion Way  
17 Newman, CA 95360

Dated: October 20, 2011

18 Richard W. Wieking, Clerk  
19 By: LISA R CLARK, Deputy Clerk