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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
 CONTINUE FACT DISCOVERY AND
 EXPERT DISCLOSURES DEADLINE**

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 19 IT IS HEREBY STIPULATED by and between the undersigned, subject to the approval
 20 of the Court, that the deadline for completing fact discovery and and expert disclosures is
 21 extended from January 31, 2012 to February 29, 2012.

22 This stipulation was agreed to at the request of counsel for Defendant after learning that
 23 Mr. Gaytan is scheduled to have surgery on December 15 and will need six weeks to recuperate.
 24 Defendant has begun the deposition of Mr. Gaytan, but it has not been completed. The parties
 25 had agreed to complete the deposition in early January, but Mr. Gaytan subsequently learned that
 26 he will be having surgery on December 15 and will need six weeks to recuperate. Defendant
 27 would like to accommodate Mr. Gaytan’s post-surgery recuperation period. This would mean
 28

1 that Mr. Gaytan's deposition could not be completed until late January or early February 2012.
2 (Defendant's counsel has long-scheduled leave from December 1-19, 2011.) Among other
3 things, Defendant needs to complete the deposition in order to determine whether, and on what
4 terms, settlement of this dispute would be appropriate. The parties intend to schedule the
5 completion of Mr. Gaytan's deposition on a date when a representative of the Department of
6 Labor would be present to meet Mr. Gaytan and hear his testimony in person. The Court has
7 continued the fact discovery deadline and expert disclosure deadline once to its current date of
8 January 31, 2012. The parties request that this date be continued to February 29, 2012. The
9 parties do not believe that any other dates set by the Court would need to be continued because
10 of this stipulation.
11

12 DATED: November 28, 2011 By: /s/ Richard Gaytan
13 RICHARD GAYTAN
14 Plaintiff

15
16 MELINDA HAAG
17 United States Attorney

18 DATED: November 28, 2011 By: /s/ Michael T. Pyle
19 MICHAEL T. PYLE
20 Assistant United States Attorney
21 Attorneys for Defendant

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

23 The fact discovery and expert disclosure deadline is continued from January 31, 2012 to
24 February 29, 2012. All other dates previously set by the Court remain in place.

25 DATED: 12/6/11
26 *Sandra B. Armstrong*
27 HON. SANDRA BROWN ARMSTRONG
28 United States District Chief Judge

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

4 GAYTAN et al,

5 Plaintiff,

6 v.

7 SOLIS et al,

8 Defendant.

Case Number: CV07-06367 SBA

CERTIFICATE OF SERVICE

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 December 7, 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: December 7, 2011

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