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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JIRIKI BAUTISTA, an individual, ARI SILVA,
an individual

Plaintiff,

v.

WFS EXPRESS, a Delaware corporation,
CONSOLIDATED AVIATION SERVICES, a
New York Corporation

Defendants.

No. C18-0757 RSM

STIPULATED MOTION AND
ORDER FOR TEMPORARY
STAY OF CASE OF 150 DAYS

Plaintiffs Jikiri Bautista and Ari Silva (“Plaintiffs”), and Defendants WFS Express and Consolidated Aviation Services (collectively, the “Defendants”) hereby move on a stipulated and agreed basis for an order temporarily staying all litigation in this case for 150 days while the Parties schedule, prepare for and complete mediation in an attempt to reach an agreement to resolve this action. In support of this Stipulated Motion, Plaintiffs and Defendants state as follows:

1. On April 25, 2018, the Plaintiffs commenced this action by filing a complaint in King County Superior Court against the Defendants. On May 25, 2018, the Defendants removed this action to the United States District Court for the Western District of Washington pursuant to the Class Action Fairness Act (28 U.S.C. §1332(d)).

1 2. In the subsequent twelve months, the Parties have participated in substantial
2 documentary discovery, including the production of timekeeping and payroll data for
3 Defendants' employees, who comprise the putative class.

4 3. Counsel for the Parties have conferred regarding the relevant factual and legal
5 issues in this case, and whether it would be preferable to participate in early mediation before
6 undertaking signification litigation and motions practice relating to the validity of the Plaintiffs'
7 claims and theories. The Parties have also considered the Court's practice of encouraging
8 litigants to explore early settlement initiatives that might shorten the duration and cost of
9 litigation.

10 4. As result of these discussions, the Parties have agreed that before Plaintiffs
11 further litigate their claims and move the Court for class certification, and before Defendants
12 pursue their defenses (including motions practice), it is in the best interest of the Parties to
13 explore settlement of this matter by way of mediation. In line with this agreement, the Parties
14 have agreed to continue documentary and deposition discovery to allow an informed and
15 thorough mediation process.

16 5. The Parties believe that in the next 150 days, they can: (1) agree upon a neutral
17 mediator and schedule a mediation session; (2) complete the discovery necessary to prepare for
18 mediation; and (3) conduct the mediation. However, the Parties also agree that if they are
19 simultaneously attempting to comply with Court deadlines and participate in motions practice,
20 this would reduce their ability to constructively participate in mediation.

21 On the basis of the foregoing, the Parties request the Court enter an Order staying this
22 action for all purposes for a period of at least 150 days so that the Parties may conduct early
23 settlement efforts.
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1 STIPULATED TO AND SUBMITTED this 27th day of June, 2019.

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/s/ Nathaniel J. Wonderly

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20 **Attorneys for Plaintiffs**

ORDER

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2 Having reviewed the Parties' Stipulated Motion for Temporary Stay of Case for 150
3 Days, the Court grants the motion for good cause shown within and orders that all litigation in
4 this action is temporarily stayed for one-hundred fifty (150) days from the entry of this order to
5 enable the Parties to focus on and conduct additional settlement efforts. Within 150 days, the
6 Parties shall file a status report with the Court describing the status of the Parties' efforts to
7 resolve this matter. The trial date and all other deadlines are hereby vacated.
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9 DATED this 28th day of June 2019.

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11 RICARDO S. MARTINEZ
12 CHIEF UNITED STATES DISTRICT JUDGE
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