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Attorneys for Plaintiff
MARINO JAIR RODRIGUEZ; et al.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARINO JAIR RODRIGUEZ, an individual;
JENNIFER NORRIS MENA, an individual;
WILLIAM KENNEDY, an individual; ANNE
MARIE RUIZ, an individual; ROBERT
RICHARD BIRCHER, an individual;
CHRISTOPHER MICHAEL SACIL, an
individual; ELIZABETH ALVAREZ
SANCHEZ, an individual; JAMES MATTHEW
BUCKLEY, an individual; JOHN DAVID
ROLLAND, an individual; MARTA
MAHEALANI SACIL, an individual;
MICHAEL EDWARD POYTHRESS, an
individual; and TERRENCE DARBY, an
individual,

Plaintiff(s),

v.

SANTA CLARA VALLEY
TRANSPORTATION AUTHORITY; and
SHAW HR CONSULTING, INC.; and DOES 1
to 100, inclusive,

Defendant(s).

Case No. 4:23-cv-01379-HSG

Assigned to: Hon. Judge Hayward S. Gilliam
Courtroom 2

**STIPULATION AND REQUEST TO
CONTINUE TRIAL AND ORDER**

[Complaint Filed: November 14, 2022] Trial
Date: December 9, 2024

1 Plaintiffs MARINO JAIR RODRIGUEZ, JENNIFER NORRIS MENA, WILLIAM
2 KENNEDY, ANNE MARIE RUIZ, ROBERT RICHARD BIRCHER, CHRISTOPHER MICHAEL
3 SACIL, ELIZABETH ALVAREZ SANCHEZ, JAMES MATTHEW BUCKLEY, DAVID
4 ROLLAND, MARTA MAHEALANI SACIL, MICHAEL EDWARD POYTHRESS, and
5 TERRENCE DARBY (collectively “Plaintiffs”) and Defendant SANTA CLARA VALLEY
6 TRANSPORTATION AUTHORITY (“Defendant”) (collectively, the “Parties”), by and through
7 their counsel of record, stipulate as follows:

8 WHEREAS, trial is currently scheduled to begin on December 9, 2024; and

9 WHEREAS, on August 22, 2024, the parties filed cross-motions for summary judgment /
10 partial summary judgment, involving twelve (12) individual plaintiffs and multiple causes of action
11 and those motions are fully briefed and submitted; and

12 WHEREAS, the parties are unable to meaningfully prepare for trial given that the cross
13 motions could dispose of some, if not all, of Plaintiffs’ or Defendant’s claims/defenses and it is
14 therefore difficult to engage in meaningful settlement discussions at this point; and

15 WHEREAS, counsel for the parties have agreed to seek mediation with a Federal Magistrate
16 Judge after the cross-motions are determined; and

17 WHEREAS, the parties are required to exchange exhibits and other pretrial submissions by
18 October 29, 2024, and soon thereafter meet other pretrial deadlines at significant cost; and

19 WHEREAS, to prepare to try a case involving a dozen plaintiffs requires substantial
20 advance planning and coordination with respect to parties, witnesses, documents, etc. requiring
21 significant time and expense.

22
23 THEREFORE, the Parties stipulate as follows:

24 The parties respectfully ask this court to stay existing pre-trial deadlines until after a
25 decision on the cross motions for summary judgment and, if necessary, continue the trial date so
26 that the parties can conduct a settlement conference in an effort to fully resolve or at least
27 significantly reduce the scope of any needed trial, in terms of both the number of plaintiffs and the
28 number of claims, once the Court has rendered its opinions.

1 **IT IS SO STIPULATED.**

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3 DATED: October 22, 2024

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FRONTIER LAW CENTER

/s/ Manny Starr

Manny Starr

Attorneys for Plaintiff

MARINO JAIR RODRIGUEZ; et al.

**ATKINSON, ANDELSON, LOYA,
RUUD & ROMO**

/s/ Ruth Bond

Ruth Bond

Attorney for Defendant

SANTA CLARA VALLEY

TRANSPORTATION AUTHORITY

ORDER

**PURSUANT TO THE PARTIES' STIPULATION AND GOOD
CAUSE APPEARING, IT IS HEREBY DENIED.**

Dated: 10/24/2024

