

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MATTHEW CARR, TERRY CARR,	:	
DAVID TUMBLIN, and GREGORY	:	CIVIL ACTION
BROWN, INDIVIDUALLY AND ON	:	
BEHALF OF ALL SIMILARLY	:	
SITUATED INDIVIDUALS,	:	No. 15-6391
Plaintiffs,	:	
	:	
v.	:	
	:	
FLOWERS FOODS, INC. and	:	
FLOWERS BAKING CO. OF	:	
OXFORD, LLC,	:	
Defendants.	:	
	:	

LUKE BOULANGE, ON BEHALF OF	:	
HIMSELF AND ALL OTHERS	:	CIVIL ACTION
SIMILARLY SITUATED,	:	
	:	
v.	:	No. 16-2581
	:	
FLOWERS FOODS, INC. and	:	
FLOWERS BAKING CO. OF	:	
OXFORD, LLC,	:	

STIPULATION AND ORDER
TO EXTEND TIME FOR DISCOVERY

WHEREAS, on August 1, 2017, the parties submitted a Stipulation and Order setting forth the agreed procedures for conducting discovery of the 114 individuals who filed consents to join this consolidated action pursuant to 29 U.S.C. § 216(b) (“Opt-In Plaintiffs”), and the Court approved that Stipulation and Order on August 9, 2017 (Doc. 212, 2:15-cv-6391); and

WHEREAS, the Order of August 9, 2017 allowed Defendants to serve limited interrogatories and documents requests upon all Opt-In Plaintiffs, and to take four-hour depositions of up to twenty percent (20%) of all Opt-In Plaintiffs; and

WHEREAS, the Order of August 9, 2017 required that all fact discovery be completed by January 31, 2018; and

WHEREAS, Defendants have received documents and/or verified interrogatory answers from more than 75 Opt-In Plaintiffs; and

WHEREAS, the Parties have completed the depositions of six (6) Opt-In Plaintiffs, have confirmed deposition dates for ten (10) additional Opt-In Plaintiffs to take place on or before March 8, 2018, and are in the process of finalizing deposition dates for six (6) additional Opt-In Plaintiffs; and

WHEREAS, the Parties have attempted to minimize the burden of discovery on Opt-In Plaintiffs by scheduling current Oxford Distributor depositions on Wednesdays, when they ordinarily do not deliver products to customers in their territories; and

WHEREAS, the Parties require an anticipate that all Opt-In Plaintiff depositions and other fact discovery will be complete by March 30, 2018,

NOW, THEREFORE, on this January 31, 2018, counsel in these consolidated cases hereby **STIPULATE** and **AGREE** that all fact discovery in these consolidated cases shall be completed by March 30, 2018.

DATED: January 31, 2018

COUNSEL FOR PLAINTIFFS IN CARR:

/s/ Charles E. Schaffer

Charles E. Schaffer, Esq.
LEVIN, FISHBEIN, SEDRAN & BERMAN
510 Walnut Street, Suite 500
Philadelphia, Pennsylvania 19106
(215) 592-1500
cschaffer@lfsblaw.com

COUNSEL FOR PLAINTIFFS IN BOULANGE:

/s/ Peter D. Winebrake

Peter D. Winebrake, Esq.
R. Andrew Santillo, Esq.
Mark J. Gottesfeld, Esq.
WINEBRAKE & SANTILLO, LLC
Twining Office Center, Suite 211
715 Twining Road
Dresher, Pennsylvania 19025
(215) 884-2491
pwinebrake@winebrakelaw.com
asantillo@winebrakelaw.com
mgottesfeld@winebrakelaw.com

COUNSEL FOR DEFENDANTS:

/s/ K. Clark Whitney

K. Clark Whitney, Esq. (PA 201052)
OGLETREE, DEAKINS, NASH
SMOAK & STEWART, P.C
1735 Market Street, Suite 3000
Philadelphia, Pennsylvania 19103
T: (215) 995-2800
F: (215) 995-2801
clark.whitney@ogletreedeakins.com

APPROVED and SO ORDERED this 11th day of February, 2018.

BY THE COURT:



LAWRENCE F. STENGEL, J.

32824765.1