

AMERICAN ARBITRATION ASSOCIATION

GABRIEL CILLUFFO, et al,
Claimants,

v.

CENTRAL REFRIGERATED SERVICE,
INC., CENTRAL LEASING, INC., JON
ISAACSON and JERRY MOYES,
Respondents.

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(Collective Matter)

**ORDER re Claimants' February 2,
2015 Letter Motion**

The Arbitrator has received Claimants' February 3, 2015 Letter Motion, Respondents' Opposition and Claimants' Reply.

The parties dispute the timing of depositions of individuals Duke Waggoner, Gabriel Cilluffo, Kevin Shire and Bryan Rattarree, and 30(b)(6) depositions of the entity respondents. The Waggoner and 30(b)(6) depositions would take place in Salt Lake City, while the others would take place in California. Respondents want to depose Waggoner before the other individuals are deposed for strategic reasons, and for all the individual depositions to take place before the 30(b)(6) ones. Claimants' counsel wants the depositions in Salt Lake City to take place on contiguous days to avoid making two trips. The current deadline for taking non-expert depositions is May 4, 2015.

Based on the sequence of events outlined in the papers, the Arbitrator concludes that it is reasonable to allow Respondents to depose Waggoner before deposing the other individuals, but that is the only scheduling priority that will be recognized. Waggoner's deposition should take place contiguous to the 30(b)(6) depositions and other depositions

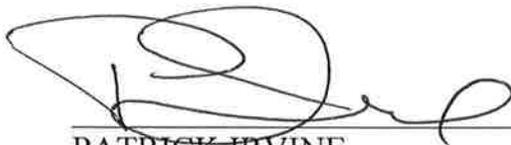
in Salt Lake City. This may require the depositions of the remaining claimants to take place after the 30(b)(6) depositions. Respondents argue the 30(b)(6) depositions may not be scheduled any time soon because of outstanding objections. Any objections regarding the scope of the depositions are not presently before the Arbitrator, but the Arbitrator is prepared to deal with any disputes between the parties regarding those objections or the scope of the depositions on an expedited basis. Therefore,

IT IS ORDERED that by Monday, March 16, 2015, the parties shall set a mutually convenient date for the Waggoner deposition and shall schedule the 30(b)(6) depositions for contiguous days. If Respondents continue to want the other individual depositions to take place after the Waggoner deposition, they shall be so scheduled. If the parties cannot agree on a date for the Waggoner deposition, each party shall notify the Arbitrator by email no later than 5:00 pm, Pacific Daylight Time of their proposed dates, and the Arbitrator will set the date.

IT IS FURTHER ORDERED that any disputes regarding the depositions, including objections regarding the 30(b)(6) depositions, shall be presented to the Arbitrator by emails briefly describing the dispute and the requested relief. If necessary, the Arbitrator will request a response or schedule a conference call to discuss the dispute.

IT IS FURTHER ORDERED that the parties will notify the Arbitrator of all dates and times for depositions. If feasible, the Arbitrator will notify the parties of times during the depositions when he will be available to address disputes arising during the depositions.

DATED: March 11, 2015.



PATRICK IRVINE
ARBITRATOR

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