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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

COLLEEN GALLAGHER, ILANA FARAR,
 ANDREA LOPEZ, JOANN CORDARO, and
 ROSANNE COSGROVE, on behalf of
 themselves and all others similarly situated,

Case No. 14-cv-04601-WHO

Plaintiffs,

**STIPULATION AND ~~PROPOSED~~
 ORDER REQUESTING CONTINUANCE
 OF CLASS CERTIFICATION AND
 SUMMARY JUDGMENT HEARING**

v.

BAYER AG, BAYER CORPORATION, and
 BAYER HEALTHCARE LLC,

Defendants.

1 Pursuant to Civil Local Rule 6-2, the parties stipulate to and jointly request a brief
2 continuance of the Class Certification and Summary Judgment Hearing. The parties respectfully
3 request that the hearing be continued from September 27, 2017 to October 18, 2017.

4 **Procedural History and Prior Extensions.** An initial case management scheduling order
5 was entered on October 16, 2014. Dkt. 5. By stipulation, the Court entered an amended case
6 management scheduling order on December 22, 2014. Dkt. 38. Following an in-person meet and
7 confer, on December 11, 2015 the Court entered a revised briefing and discovery schedule. Dkt. 92.

8 During a discovery hearing on June 7, 2016, the Court extended the close of fact discovery
9 from May 9, 2016 until July 9, 2016. Dkt. 115.

10 On July 8, 2016 the parties filed a stipulation and proposed order on discovery and
11 scheduling. Dkt. 119. Pursuant to the stipulation, the Court extended the discovery schedule which
12 included extending the close of fact discovery from July 9, 2016 to September 9, 2016. Dkt. 120.

13 On September 6, 2016, Bayer filed a motion for extension of case deadlines to complete
14 discovery which Plaintiffs did not oppose. Dkt. 124. The Court granted the motion and extended all
15 case deadlines by 60 days. Dkt. 125.

16 On February 1, 2017, the parties filed a joint stipulation for further extension of the case
17 deadlines to permit Bayer to depose Plaintiffs' expert witness Dr. Blonz on March 8, who was
18 unavailable before that date, and have adequate time to prepare its response brief. The Court granted
19 the motion for extension of case deadlines and moved the Class Certification Response deadline
20 from March 13, to March 24, 2017, the Class Certification Reply from April 27, to May 10, 2017
21 and the Class Certification Hearing from May 17, to May 30, 2017.

22 On April 7, 2017, the parties filed a joint stipulation for further extension of the case
23 deadlines. The parties requested the extension to allow Plaintiffs time to depose both of Bayer's
24 expert witnesses, Dr. Blumberg and Dr. Kivetz, who were available for deposition April 14 and May
25 12 respectively, and time to prepare its responses to Bayer's opposition to Plaintiffs' Motion for
26 Class Certification and Bayer's Motion for Summary Judgment. The Court granted the motion and
27 moved the date for Plaintiffs' Summary Judgment Response from April 7, 2017 to July 7, 2017,
28

1 Plaintiffs' Class Certification Reply from May 10, 2017 to July 7, 2017, Defendants' Summary
2 Judgment Reply from April 14, 2017 to August 7, 2017, and the hearing on both motions from May
3 31, 2017 to August 23, 2017. Dkt. 139.

4 On July 11, 2017, the parties filed a joint stipulation requesting a 30-day extension of time
5 for Bayer to file its Reply to Plaintiffs' Opposition to Summary Judgment, and a 30-day continuance
6 for the Class Certification and Summary Judgment Hearing. Dkt. 146. On July 13, 2017, the Court
7 granted the parties' stipulation and extended the deadline for Bayer's Reply from August 7, 2017 to
8 September 6, 2017. Dkt. 147. The Court subsequently set the Class Certification and Summary
9 Judgment Hearing for September 27, 2017. Dkt. 148.

10 **Class Certification and Summary Judgment Hearing**

11 Due to a scheduling conflict, counsel for Bayer seeks a 21-day continuance of the Class
12 Certification and Summary Judgment Hearing from September 27, 2017 to October 18, 2017.

13 **Requested Extension**

14 The parties respectfully request that the Court continue the Class Certification and Summary
15 Judgment Hearing as follows:

<u>Deadline</u>	<u>Current Date</u>	<u>Requested Date</u>
Class Certification and Summary Judgment Hearing	September 27, 2017	October 18, 2017
This request does not impact any other deadlines in the case.		

1 Dated: July 28, 2017

2 STANLEY LAW GROUP

3 By: /s/ Stephen Gardner

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Dated: July 28, 2017

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By: /s/ Jonathan F. Cohn

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*Attorneys for Defendants Bayer Corporation and
Bayer HealthCare LLC*

1 **SIGNATURE ATTESTATION**

2 I am the ECF User whose identification and password are being used to file the foregoing
3 Stipulation and Proposed Order for Further Extension of Case Deadlines. In compliance with Civil
4 Local Rule 5-1(i)(3), I hereby attest that the signatory has concurred in this filing.

5
6 Dated: July 28, 2017

SIDLEY AUSTIN LLP

7
8 By:

9 */s/ Ryan Sandrock*

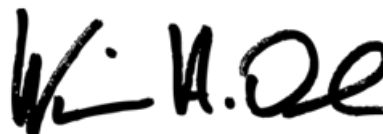
10 Ryan Sandrock

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PURSUANT TO STIPULATION, IT IS ORDERED:

The Class Certification and Summary Judgment Hearing is continued from September 27, 2017 to October 18, 2017.

Dated: August 1, 2017



The Honorable William H. Orrick
United States District Judge