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7	UNITED STATES DISTRICT COURT						
8	EASTERN DISTRICT OF CALIFORNIA						
9			)				
10	BRIAN BUTTERWORTH			1: 11 CV 01203 LJO DLB			
11	Plaintiff, v.		) S	SCHE	DULING ORDER (Fed.R.Civ.P 16)		
12			) (	Class	Certification Motion Deadlines:		
13			) )		Filing:	June 29, 2012	
14	AMERICAN EAGLE OUTFITTERS, INC.		) )		Opposition:	August 14, 2012	
15	Defendant.		) )		Reply:	September 28, 2012	
16			) )		Hearing:	October 30, 2012 at 8:30 a.m. Courtroom 4	
17							
18							
19 20	I.	Date of Scheduling Conferen	ce				
20 21	November 30, 2011.						
21	II. <u>Appearances of Counsel</u>						
22	Paul Perez appeared on behalf of Plaintiff.						
23 24	Timothy S. Anderson appeared on behalf of Defendant.						
24	III. <u>Discovery Plan and Cut-Off Date</u>						
23 26		During this initial phase of litig	gation	the pa	arties are order	ed to limit discovery to	
	matters pertaining to class certification.						
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27 28	matters pertai	ning to class certification.	1				

#### IV. Class Certification Motion Schedule

Plaintiff shall file his Motion for Class Certification no later than June 29, 2012;Defendant shall file Opposition to the Motion no later than August 14, 2012;Plaintiff may file a Reply on or before September 28, 2012; and

The Motion for Class Certification shall be on October 30, 2012 at 8:30 a.m., in Courtroom 4 before the Honorable Lawrence J. O'Neill, United States District Court Judge.

V.

### Settlement Conference

Should the parties desire a settlement conference, they will jointly request one of the court, and one will be arranged. In making such request, the parties are directed to notify the court as to whether or not they desire the undersigned to conduct the settlement conference or to arrange for one before another judicial officer.

# VI. <u>Request for Bifurcation, Appointment of Special Master, or other</u> <u>Techniques to Shorten Trial</u> Not applicable at this time.

# VII. Related Matters Pending

## There are no pending related matters.

## VIII. <u>Compliance with Federal Procedure</u>

All counsel are expected to familiarize themselves with the Federal Rules of Civil Procedure and the Local Rules of Practice of the Eastern District of California, and to keep abreast of any amendments thereto. The Court must insist upon compliance with these Rules if it is to efficiently handle its increasing case load and sanctions will be imposed for failure to follow the Rules as provided in both the Federal Rules of Civil Procedure and the Local Rules of Practice for the Eastern District of California.

## IX. Effect of this Order

The foregoing order represents the best estimate of the court and counsel as to the agenda most suitable to dispose of this case. The trial date reserved is specifically reserved for

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1	this case. If the parties determine at any time that the schedule outlined in this order cannot be					
2	met, counsel are ordered to notify the court immediately of that fact so that adjustments may be					
3	made, either by stipulation or by subsequent status conference.					
4	Stipulations extending the deadlines contained herein will not be considered					
5	unless they are accompanied by affidavits or declarations, and where appropriate attached					
6	exhibits, which establish good cause for granting the relief requested.					
7	Failure to comply with this order may result in the imposition of sanctions.					
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9	IT IS SO ORDERED.					
10	Dated: December 8, 2011 /s/ Dennis L. Beck UNITED STATES MAGISTRATE JUDGE					
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