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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

AIDA CORRA,  
Plaintiff,  
v.  
ENERGIZER HOLDINGS, INC., et al.,  
Defendants.

**Case No. 1:12-cv-01736 AWI SKO**  
**Related Case: 1:12-cv-01802-AWI-SKO**

**SCHEDULING ORDER**

On November 7, 2013, a scheduling conference was held. Patricia Syverson, Esq., appeared telephonically on behalf of Plaintiff. Daniel Schecter, Esq., and Michael Reiss, Esq., appeared telephonically for Defendants. The Court set the following deadlines:

**A. Amendment**

Any motions or stipulations requesting leave to amend the pleadings must be filed by no later than **December 20, 2013**. The parties are advised that filing a motion and/or stipulations requesting leave to amend the pleadings by **December 20, 2013**, does not reflect on the propriety of the amendment or imply good cause to modify the existing schedule, if necessary. All proposed amendments must (A) be supported by good cause pursuant to Fed. R. Civ. P. 16(b) if the amendment requires any modification to the existing schedule, *see Johnson v. Mammoth*

1 *Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992), and (B) establish, under Fed. R. Civ. P.  
2 15(a), that such an amendment is not (1) prejudicial to the opposing party, (2) the product of  
3 undue delay, (3) proposed in bad faith, or (4) futile, *see Foman v. Davis*, 371 U.S. 178, 182  
4 (1962).

5 **B. Initial Disclosures**

6 Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1) shall be exchanged by no later than  
7 **November 27, 2013.**

8 **C. Class Discovery**

9 The discovery shall be bifurcated into Class Discovery and Merits Discovery. Class  
10 Discovery is now open, but Merits Discovery shall remain closed until after the class certification  
11 motion has been decided. All Class Discovery shall be completed by no later than **March 24,**  
12 **2014.**

13 **D. Motion for Class Certification Deadlines**

<b>Event</b>	<b>Deadline</b>	
Last day for filing Class Certification Motion. Plaintiff shall simultaneously provide class expert report(s) with the motion and make expert(s) available for deposition thereafter.	<b>April 7, 2014</b>	
Last day for Plaintiff to produce and for Defendants to depose class certification experts, if any, identified in Plaintiff's Class Certification Motion.	<b>May 7, 2014</b>	
Last day for filing Opposition to Class Certification Motion. Defendants shall simultaneously provide class expert report(s) with opposition and make expert(s) available for deposition thereafter.	<b>May 23, 2014</b>	
Last day for Defendants to produce and for Plaintiff to depose class certification experts, if any, identified in Defendants' Class Certification Opposition.	<b>June 23, 2014</b>	

1	Last day for filing Reply to Class Certification Opposition	<b>August 11, 2014</b>
2	Class Certification Hearing	<b>September 8, 2014</b>

3  
4 The hearing on the Motion for Class Certification shall be noticed and set before the  
5 Honorable Anthony W. Ishii for **September 8, 2014, at 1:30 a.m.** in Courtroom 2.

6 **E. Mid-Discovery Status Conference**

7 A mid status discovery conference will be held before the Honorable Sheila K. Oberto on  
8 **February 11, 2014, at 10:00 a.m.** in Courtroom 7. The parties shall file a status report no later  
9 than **February 4, 2014.**

10 **F. Electronic Discovery Proposed Protocol**

11 The parties shall meet and confer regarding the scope of electronic discovery that will be  
12 requested. **On or before November 25, 2013,** the parties shall file an agreed upon Electronic  
13 Discovery Protocol. If the parties cannot agree to a protocol, they shall file a statement regarding  
14 any issues that remain in dispute with respect to the Electronic Discovery Protocol.

15 **G. A Second Scheduling Conference**

16 The Court will set a second scheduling conference after the motion for class certification  
17 has been decided.

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20 IT IS SO ORDERED.

21 Dated: **November 7, 2013**

**/s/ Sheila K. Oberto**  
UNITED STATES MAGISTRATE JUDGE