

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

AIDA CORRAL, On Behalf of Herself and
All Others Similarly Situated,

Plaintiff,

v.

ENERGIZER HOLDINGS INC., a Missouri
Corporation; PLAYTEX PRODUCTS, LLC,
fka PLAYTEX PRODUCTS, INC., a
Delaware Corporation; SUN
PHARMACEUTICALS, LLC, a Delaware
Limited Liability Company,

Defendants.

CASE NO. 1:12-CV-01736-AWI-SKO

**STIPULATION AND [PROPOSED] ORDER
TO EXTEND DISCOVERY AND BRIEFING
SCHEDULES**

Magistrate Judge Sheila K. Oberto

Action Filed: October 24, 2012

Amended Complaint Filed: November 26, 2012

Plaintiff Aida Corral and Defendants Energizer Holdings, Inc., Playtex Products, Inc. and Sun Pharmaceuticals, LLC (“Defendants”) (collectively, the “Parties”) jointly stipulate to extend the discovery and briefing schedules in this action.

WHEREAS, on October 31, 2013, the Parties filed a Joint Report (ECF No. 64) pursuant to Federal Rule of Civil Procedure 26(f) proposing discovery and briefing schedules to the Court;

WHEREAS, on November 8, 2013, the Court issued a Scheduling Order (ECF No. 66) setting the discovery and briefing schedules;

WHEREAS, on February 3, 2014, the Parties filed a Stipulation and Proposed Order (ECF No. 70) for extending the discovery and briefing schedules as the Parties engage in

1 settlement negotiations;

2 **WHEREAS**, on February 5, 2014, the Court issued a Scheduling Order (ECF No. 71)
3 resetting the discovery and briefing schedules;

4 **WHEREAS**, on April 15, 2014, the Parties filed a Stipulation and Proposed Order (ECF
5 No. 72) to further extend the discovery and briefing schedules as the Parties continued to engage
6 in settlement negotiations;

7 **WHEREAS**, on April 22, 2014, the Court issued a Scheduling Order (ECF No. 74)
8 resetting the discovery and briefing schedules as follows:

Event	Deadline
Last day for Defendants to Respond to Plaintiff's First Set of Requests for Admissions, First Set of Requests for Productions, and First Set of Interrogatories	June 27, 2014
Mid-Discovery Status Report	July 3, 2014
Mid-Discovery Status Conference	July 10, 2014 at 10:00 a.m.
Deadline for Class Discovery	July 25, 2014
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.	August 22, 2014
Last day for Plaintiff to produce and for Defendants to depose class certification experts, if any, identified in Plaintiff's Class Certification Motion.	September 23, 2014
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.	October 7, 2014
Last day for Defendants to produce and for Plaintiff to depose class certification experts, if any, identified in Defendants' Class Certification Opposition.	November 7, 2014
Last day for filing Reply to Class Certification Opposition	December 19, 2014
Class Certification Hearing	January 26, 2015 at 1:30 p.m.

27
28

1 **WHEREAS**, the Parties continue to explore whether the case can be settled;
 2 **IT IS HEREBY STIPULATED** by the Parties, by and through their counsel of record
 3 herein, as follows:

- 4 1. The above-referenced discovery and briefing schedules shall be vacated; and
 5 2. The discovery and briefing schedules shall be as follows:

Event	Deadline
Last day for Defendants to Respond to Plaintiff's First Set of Requests for Admissions, First Set of Requests for Productions, and First Set of Interrogatories	August 26, 2014
Mid-Discovery Status Report	September 11, 2014
Mid-Discovery Status Conference	September 18, 2014 at 10:00 a.m.
Deadline for Class Discovery	September 23, 2014
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.	October 21, 2014
Last day for Plaintiff to produce and for Defendants to depose class certification experts, if any, identified in Plaintiff's Class Certification Motion.	November 21, 2014
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.	December 5, 2014
Last day for Defendants to produce and for Plaintiff to depose class certification experts, if any, identified in Defendants' Class Certification Opposition.	January 6, 2015
Last day for filing Reply to Class Certification Opposition	February 17, 2015
Class Certification Hearing	March 23, 2015 at 1:30 p.m.

26 //
 27 //
 28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: May 29, 2014

LATHAM & WATKINS LLP
Daniel Scott Schecter
Michael J. Reiss

By /s/ Michael J. Reiss
Michael J. Reiss
Attorneys for Defendants
Energizer Holdings, Inc.

BONNETT, FAIRBOURN, FRIEDMAN &
BALINT, P.C.
Patricia N. Syverson

By /s/ Patricia N. Syverson
Patricia N. Syverson
Attorneys for Plaintiff
Alejandra Martinez

ORDER

Pursuant to the parties' Stipulation, IT IS HEREBY ORDERED that the discovery and briefing schedules in this matter are extended in accordance with the terms of the above-referenced Stipulation.

IT IS SO ORDERED.

Dated: June 3, 2014

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE