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Attorneys for Defendant

13 **UNITED STATES DISTRICT COURT**
14 **EASTERN DISTRICT OF CALIFORNIA**

15 DELIA WILSON, on Behalf of Herself and
All Others Similarly Situated,
16 Plaintiff,
17
18 v.
19 CONAIR CORPORATION,
20 Defendant.

Case No: 1:14-cv-00894-WBS-SAB

CLASS ACTION

**ORDER RE STIPULATION FOR SECOND
DEPOSITION OF PLAINTIFF**

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1 Pursuant to Rule 30(a)(2)(A) of the Federal Rules of Civil Procedure, plaintiff Delia
2 Wilson and defendant Conair Corporation enter into this stipulation regarding the following:

3 WHEREAS, on February 8, 2016, upon approval of the Court (ECF No. 119), plaintiff
4 filed a First Amended Class Action Complaint (ECF No. 121).

5 WHEREAS, the amended complaint added allegations and claims for personal injury
6 and class claims alleging that Conair does not comply with the CPSA. The personal injury
7 claims added to the amended complaint include Strict Products Liability: Design/Manufacture
8 Defect, Strict Products Liability: Failure to Warn, Negligence, and Negligent Infliction of
9 Emotional Distress. The CPSA claims are a basis of plaintiff's Rule 23(b)(2) class
10 certification motion.

11 WHEREAS, on May 20, 2016, the parties stipulated to plaintiff's voluntary dismissal
12 of her claim for Negligent Infliction of Emotional Distress pursuant to Fed. R. Civ. Proc.
13 41(a)(1)(A)(ii).

14 WHEREAS, plaintiff was previously deposed by Conair on July 16, 2015. The
15 deposition commenced at 10:07 a.m., and concluded at 3:52 p.m. Several breaks were taken
16 during the course of this deposition.

17 WHEREAS, Conair seeks to depose plaintiff a second time regarding her individual
18 claims for personal injury and all new allegations that were added to the amended complaint.

19 WHEREAS, the parties agree that the second deposition will be limited to plaintiff's
20 claims for personal injury and all new allegations.

21 WHEREAS, the parties agree the deposition will not exceed four (4) hours of
22 testimony time.

23 WHEREAS, the parties agree that the second deposition will take place on Monday,
24 June 6, 2016, at 9:00 a.m., at the Hotel Indigo Santa Barbara, 121 State Street, Santa Barbara,
25 CA 93101, which is subject to modification for good cause and/or upon agreement of the
26 parties, without further order of the Court.

27 **NOW, THEREFORE, IT IS HEREBY STIPULATED,** that Conair's second
28 deposition of plaintiff will be limited as follows:

1 (1) The scope of the deposition will be limited to plaintiff's individual claims for
2 personal injury and the new class allegations that were added to the First Amended Class
3 Action Complaint (ECF No. 121).

4 (2) The deposition will take place on June 6, 2016, at 9:00 a.m., at the Hotel Indigo
5 Santa Barbara, 121 State Street, Santa Barbara, CA 93101, which is subject to modification for
6 good cause and/or upon agreement of the parties, without further order of the Court and will be
7 limited to four (4) hours of testimony time.

8 **IT SO STIPULATED.**

9
10 Dated: May 31, 2016

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24 Dated: May 31, 2016

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ORDER

IT IS HEREBY ORDERED that, having reviewed the Stipulation and Proposed Order Governing a Second Deposition of Plaintiff, the parties' Stipulation shall become the order of the Court.

IT IS SO ORDERED.

Dated: May 31, 2016


UNITED STATES MAGISTRATE JUDGE