

1 BLOOD HURST & O'REARDON, LLP
TIMOTHY G. BLOOD (149343)
2 LESLIE E. HURST (178432)
THOMAS J. O'REARDON II (247952)
3 SARAH BOOT (253658)
701 B Street, Suite 1700
4 San Diego, CA 92101
Tel: 619/338-1100
5 619/338-1101 (fax)
tblood@bholaw.com
6 lhurst@bholaw.com
toreardon@bholaw.com
7 sboot@bholaw.com

8 ODENBREIT LAW, APC
KATHERINE J. ODENBREIT (184619)
9 16835 Algonquin Street, Suite 221
Huntington Beach, CA 92649
10 Tel: 888/490-3510
kodenbreit@kjolaw.com

11 Attorneys for Plaintiff

Rosen ✧ Saba, LLP
Ryan D. Saba (192370)
Momo E. Takahashi (238965)
9350 Wilshire Boulevard, Suite 250
Beverly Hills, CA 90212
Tel: 310/285-1727
310/285-1728 (fax)
rsaba@rosensaba.com
mtakahashi@rosensaba.com

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 v.

18 CONAIR CORPORATION,

19 Defendant.
20
21

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

CLASS ACTION

**ORDER ON STIPULATION TO MODIFY
PRETRIAL SCHEDULING ORDER**

22
23
24
25
26
27
28

1 WHEREAS, on December 4, 2014, the Court vacated the Status (Pretrial Scheduling)
2 Conference and entered a Scheduling Order that differed from the proposed scheduling order
3 submitted by the parties. Docket #26.

4 WHEREAS, the Pretrial Scheduling Order provides that requests to modify the dates or
5 terms of the Scheduling Order (except for a request to change the trial date), shall be submitted
6 to and decided by the Magistrate Judge. *Id.* at 5.

7 WHEREAS, the Scheduling Order currently provides that expert disclosures and
8 reports required by Federal Rule of Civil Procedure 26(a)(2) shall be made on or before July 1,
9 2015, and rebuttal disclosures and reports produced on or before, August 5, 2015. *Id.* at 2.

10 WHEREAS, the motion for class certification is to be filed on or before January 5,
11 2016, and discovery completed by July 1, 2016. *Id.* at 2-3.

12 WHEREAS, the parties agree that it will be more efficient if Rule 26(a)(2) expert
13 disclosures and reports are made after the scope of the class is defined by the Court's ruling on
14 class certification and near to the completion of discovery, including merits discovery.

15 WHEREAS, the parties agree that the nature and scope of the Court's order on class
16 certification will materially affect the types of experts retained, as well as the scope of each
17 expert's opinions, and post-certification expert retention could potentially result in a reduction
18 in costs if Rule 26(a)(2) expert disclosures and reports are due following plaintiff's
19 certification motion.

20 THEREFORE, the parties hereby stipulate and respectfully request that the Scheduling
21 Order (ECF No. 26) be modified as follows:

Action	Original Deadline	Proposed Amended Deadline
Disclosure of Experts and Production of Expert Reports	July 1, 2015	May 20, 2016
Rebuttal Expert Reports	August 5, 2015	June 17, 2016

22
23
24
25
26 ///

27
28 ///

1 This stipulation does not preclude or prejudice a party from seeking additional
2 modifications to the Scheduling Order if deemed appropriate at a later time.

3 Dated: May 5, 2015

BLOOD HURST & O'REARDON, LLP
TIMOTHY G. BLOOD (149343)
LESLIE E. HURST (178432)
THOMAS J. O'REARDON II (247952)
SARAH BOOT (253658)

By: s/ Leslie E. Hurst
LESLIE E. HURST

701 B Street, Suite 1700
San Diego, CA 92101
Tel: 619/338-1100
619/338-1101 (fax)
tblood@bholaw.com
lhurst@bholaw.com
toreardon@bholaw.com
sboot@bholaw.com

ODENBREIT LAW, APC
KATHERINE J. ODENBREIT (184619)
16835 Algonquin Street, Suite 221
Huntington Beach, CA 92649
Tel: 888/490-3510
kodenbreit@kjolaw.com

Attorneys for Plaintiff

18 Dated: May 5, 2015

ROSEN ✧ SABA, LLP
RYAN D. SABA (192370)
MOMO E. TAKAHASHI (238965)

By: s/ Ryan D. Saba
RYAN D. SABA

9350 Wilshire Boulevard, Suite 250
Beverly Hills, CA 90212
Tel: 310/285-1727
310/285-1728 (fax)
rsaba@rosensaba.com
mtakahashi@rosensaba.com

Attorneys for Defendant

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

ORDER

Pursuant to the stipulation of the parties, IT IS HEREBY ORDERED that the Scheduling Order issued December 4, 2014, is AMENDED as follows:

1. The parties shall disclose any experts and produce reports in accordance with Federal Rule of Civil Procedure 26(a)(2) on or before May 20, 2016.
2. Rebuttal experts disclosure and reports produced in accordance with Federal Rule of Civil Procedure 26(a)(2) shall be completed on or before June 17, 2016.
3. The December 4, 2014 Scheduling Order shall remain in effect in all other respects.

IT IS SO ORDERED.

Dated: May 6, 2015


UNITED STATES MAGISTRATE JUDGE