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29 **UNITED STATES DISTRICT COURT**
30 **EASTERN DISTRICT OF CALIFORNIA**

31 BECKY GREER; TIMOTHY C. BUDNIK;
32 ROSARIO SAENZ; HALEY MARKWITH
33 and IAN CARTY, Individually and as
34 "Class Representatives,"

35 Plaintiffs,

36 v.

37 PACIFIC GAS AND ELECTRIC
38 COMPANY, and DOES 1 through 10,
39 inclusive,

40 Defendants.

Case No. 1:15-CV-01066—EPG

**STIPULATED SCHEDULING
ORDER**

1 Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure and by this Court's
2 August 19, 2016 Order (*Dkt. No.* 80), Plaintiffs BECKY GREER ("GREER"), TIMOTHY C.
3 BUDNIK ("BUDNIK"), ROSARIO SAENZ ("SAENZ"), HALEY MARKWITH
4 ("MARKWITH"), and IAN CARTY ("CARTY"), on behalf of themselves and all others
5 similarly situated ("PLAINTIFFS"), and Defendants Pacific Gas and Electric Company
6 ("PG&E") and IBEW Local 1245 ("IBEW") (collectively, "DEFENDANTS"), (collectively,
7 the "PARTIES") hereby stipulate to the following Proposed Order regarding extensions to
8 discovery deadlines:

9 **1. Deadline to Complete Pre-Certification Non-Expert Written Discovery**
10 **Excluding Depositions**

11 November 21, 2016. (*Dkt. No.* 80.)

12 **2. Deadline to Complete Pre-Certification Non-Expert Depositions**

13 January 27, 2017. (*Dkt. No.* 80.)

14 **3. Deadline for Initial Expert Witness Disclosures**

15 February 24, 2017.

16 **4. Deadline for Rebuttal Expert Witness Disclosures**

17 March 31, 2017.

18 **5. Deadline to Complete Expert Discovery**

19 April 28, 2017.

20 **6. Plaintiffs' Motion for Class Certification**

21 June 16, 2017.

22 **7. Defendants' Opposition to Motion for Class Certification**

23 July 21, 2017.

24 **8. Plaintiffs' Reply In Support of Motion for Class Certification**

25 August 11, 2017.

26 **9. Hearing On Motion for Class Certification**

27 August 25, 2017.
28

1 **10. Deadline for Hearings on Non-Dispositive Motions**

2 January 15, 2018. Discovery motions shall comply with the requirements of
3 Fed. R. Civ. P. 37 and Local Rule 251. The PARTIES are also on notice that the longer they
4 wait to file a non-dispositive motion will heighten the standard for showing good cause.

5 **11. Deadline for Hearings on Dispositive Motions**

6 January 29, 2018. Prior to filing a motion for summary judgment or motion for
7 summary adjudication, however, the PARTIES are ordered to meet and confer, in person or by
8 telephone, to discuss the issues to be raised in the motion. In addition to complying with the
9 requirements of Local Rule 260, the parties must prepare a Joint Statement of Undisputed
10 Facts, which identifies all relevant facts subject to agreement by all parties. The moving party
11 is responsible for filing the joint statement. In the notice of motion, the moving party shall
12 certify that the parties have met and conferred as ordered above, or set forth a statement of
13 good cause for the failure to do so.

14 **12. Pre-Trial Conference:**

15 March 15, 2018, or as soon thereafter as the Court’s schedule permits.

16 **13. Trial:**

17 April 16, 2018, or as soon thereafter as the Court’s schedule permits.

18 **IT IS SO STIPULATED.**

19 **I. ADDITIONAL UNSTIPULATED REQUEST BY DEFENDANT PG&E**

20 In addition to the above, PG&E proposes the following deadlines:

21 **1. Deadline to Amend Pleadings:**

22 November 21, 2016, subject to the same conditions set forth in the Court’s prior
23 Class Action Scheduling Conference Order (Dkt. No. 44), to wit: “If the parties do not stipulate
24 to an amendment, any motion to amend must meet the requirements under Fed. R. Civ. P.
25 15(a), and must not be: (1) prejudicial to the opposing party; (2) the product of undue delay;
26 (3) proposed in bad faith; or (4) futile. *See Foman v. Davis*, 371 U.S. 178, 182 (1962). [¶] After
27 [November 21, 2016], any motion for leave to amend will only be granted in the Court’s
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1 discretion taking into account good cause and prejudice to the parties. Fed. R. Civ. P. 16 (b)
2 (4); *see also Johnson v. Mammoth Recreations, Inc.*, 975 F. 2d 604, 609 (9th Cir. 1992).

3
4 DATED: August 26, 2016

WANGER JONES HELSLEY PC

5 By: /s/ Patrick D. Toole
6 Patrick D. Toole,
7 Dylan J. Crosby,
8 Erin T. Huntington
9 Attorneys for PLAINTIFFS on behalf of
10 themselves and all others similarly situated

11
12 DATED: August 26, 2016

LITTLER MENDELSON, P.C.

13 By: /s/ Aurelio J. Perez
14 Robert G. Hulteng
15 Joshua D. Kienitz
16 Aurelio J. Perez
17 Attorneys for Defendant, Pacific Gas &
18 Electric Company

19
20 DATED: August 26, 2016

LEORNARD CARDER, LLP

21 By: /s/ Philip Monrad
22 Philip Monrad
23 Alex Pacheco
24 Attorneys for Defendant, IBEW Local 1245
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1 **ORDER**

2 Based on the above stipulation and good cause appearing, the Court amends the
3 Scheduling Conference Order as follows:

4 **1. Deadline to Complete Pre-Certification Non-Expert Written Discovery**
5 **Excluding Depositions**

6 November 21, 2016

7 **2. Deadline to Complete Pre-Certification Non-Expert Depositions**

8 January 27, 2017

9 **3. Deadline for Initial Expert Witness Disclosures**

10 February 24, 2017

11 **4. Deadline for Rebuttal Expert Witness Disclosures**

12 March 31, 2017

13 **5. Deadline to Complete Expert Discovery**

14 April 28, 2017

15 **6. Plaintiffs' Motion for Class Certification**

16 June 16, 2017

17 **7. Defendants' Opposition to Motion for Class Certification**

18 July 21, 2017

19 **8. Plaintiffs' Reply In Support of Motion for Class Certification**

20 August 11, 2017

21 **9. Hearing On Motion for Class Certification**

22 August 25, 2017 at 10:00 a.m. in Courtroom 10

23 **10. Deadline for Hearings on Non-Dispositive Motions**

24 January 12, 2018¹

25 **11. Deadline for Hearings on Dispositive Motions**

26 January 26, 2018²

27 _____
28 ¹ This deadline has been moved from the parties' proposed deadline to accommodate the Court's calendar.

² This deadline has been moved from the parties' proposed deadline to accommodate the Court's calendar.
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12. Pre-Trial Conference:

March 15, 2018 at 11:00 a.m. in Courtroom 10.

13. Trial:

May 15, 2018 at 8:30 a.m. in Courtroom 10.

As discussed at the discovery hearing on August 30, 2016, the Court also sets a status conference for **November 21, 2016 at 2:00 p.m.** in Courtroom 10. A joint status report shall be filed with the Court and emailed to chambers at epgorders@caed.uscourts.gov no later than November 14, 2016.

As discussed on the record at the discovery hearing on August 18, 2016, the Court declines to set a deadline for the amendment of any pleadings. As noted by the Court's Scheduling Conference Order, however, leave to amend will be progressively more difficult to obtain as the case progresses and Plaintiff is advised that any undue delays in requesting such leave may result in denial of the request.

IT IS SO ORDERED.

Dated: August 31, 2016

/s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE