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19 **UNITED STATES DISTRICT COURT**

20 **EASTERN DISTRICT OF CALIFORNIA**

22 SAMUEL BRANDON KRESS, *et al.*,

Case No. 2:08-cv-00965 LKK/GGH

23 Plaintiffs.

**STIPULATION AND ORDER RE CLASS
 CERTIFICATION MOTIONS AND TRIAL
 SCHEDULE**

24 v.

25 PRICEWATERHOUSECOOPERS LLP,

26 Defendant.

1 **STIPULATION**

2 WHEREAS, on April 22, 2009, the Court issued a Modified Scheduling Order directing
3 Plaintiffs Samuel Brandon Kress, Lac Ahn Le, Jason Patterson, Lauren San Mateo, James
4 Stekelberg, Jeffrey Laberge, Willow Markham, Dana Blindbury, Jesse Kenny, Kelly C. Jones, and
5 Antoine Powell (collectively, Plaintiffs) to file their motion for class certification under Federal Rule
6 of Civil Procedure 23 as to a putative class consisting of California Associates and Senior Associates
7 in PricewaterhouseCoopers LLP's ("PwC") Tax and Advisory lines of service and California Senior
8 Associates in PwC's Assurance line of service between August 2, 2010 and October 1, 2010;

9 WHEREAS, the parties have propounded discovery relating to Plaintiffs' class certification
10 motion seeking to certify a putative class consisting of California Associates and Senior Associates
11 in PwC's Tax and Advisory lines of service and California Senior Associates in PwC's Assurance
12 line of service, and are presently engaged in the process of responding to such discovery;

13 WHEREAS, the parties have met and conferred and agree that because discovery is
14 voluminous and ongoing, the October 1, 2010 deadline for Plaintiffs to file their motion for
15 certification is not realistic;

16 WHEREAS, the parties have met and conferred and agree that the timeline currently in place
17 as set forth in the Court's April 22, 2009 Modified Scheduling Order for, *inter alia*, the non-expert
18 disclosures, the motions to compel discovery, expert witness disclosures, discovery including expert
19 discovery, law and motion, final pre-trial conference, and trial will remain the same;

20 WHEREAS, the parties have met and conferred and agree that the schedule regarding
21 Plaintiffs' motion for class certification pursuant to Federal Rule of Civil Procedure 23 as set forth in
22 the Court's April 22, 2009 Modified Scheduling Order needs adjustment for the reasons set forth
23 above.

24 **ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED** by and between
25 Plaintiffs and PwC, by and through their respective undersigned counsel:

26 1. Plaintiffs' motion for class certification under Federal Rule of Civil Procedure 23 as
27 to a putative class consisting of California Associates and Senior Associates in PwC's Tax and
28

1 Advisory lines of service and California Senior Associates in PwC's Assurance line of service, shall
2 be filed between September 1, 2010 and November 1, 2010. Consistent with the Court's April 22,
3 2009 Modified Scheduling Order, PwC's opposition shall be filed 45 days from the filing date, and
4 Plaintiffs' reply shall be filed 30 days thereafter. The parties will propose a hearing date for
5 approximately one month after the reply date. If the Court accepts the parties' stipulation, the parties
6 will shortly thereafter contact the Court to schedule a hearing date.

7 2. All other dates in the Court's April 22, 2009 Modified Scheduling Order shall remain
8 the same. In addition, the provisions in the Court's December 16, 2008 Scheduling Order shall
9 otherwise remain the same. For example, as provided in the Scheduling Order, the word
10 "completed" as it relates to law and motion means that all motions must be heard by the law and
11 motion deadline.

12 Dated: July 19, 2010

13 **BARROWAY TOPAZ KESSLER**
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Counsel for Plaintiffs

ORDER

IT IS SO ORDERED:

Dated: July 21, 2010.



LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT