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International Industries

20 UNITED STATES DISTRICT COURT
 21 EASTERN DISTRICT OF CALIFORNIA

22 SHARIDAN STILES, an individual, STILES 4
 23 U, INC., a California corporation,

24 Plaintiffs,

25 v.

26 WALMART INC., and AMERICAN
 INTERNATIONAL INDUSTRIES,

27 Defendants.
 28

Case No. 2:14-cv-02234-KJM-DMC

**STIPULATION AND [PROPOSED]
 ORDER TO EXTEND THE
 DEADLINES TO CONDUCT
 CERTAIN FACT DEPOSITIONS TO
 MAY 1, 2020 AND TO DISCLOSE
 EXPERT REBUTTAL REPORTS TO
 MAY 9, 2020**

1 Plaintiffs Sharidan Stiles and Stiles 4 U, Inc. (“plaintiffs”) and defendants Walmart Inc.
2 (“Walmart”) and American International Industries (“AII”) (collectively, “defendants”), by and
3 through their respective counsel, hereby stipulate as follows:

4 **WHEREAS**, the present deadline to complete the fact depositions of Jeanne Helfrich,
5 Robin Foshee, Procter & Gamble, and Onyx Corp. is March 31, 2020, and discovery is otherwise
6 closed; and

7 **WHEREAS**, the present deadline to disclose expert rebuttal reports is April 9, 2020, and
8 defendants need to depose plaintiffs’ experts, whom were just disclosed on March 9, 2020, well
9 in advance of the deadline to serve expert rebuttal reports; and

10 **WHEREAS**, Federal Rule of Civil Procedure 16(b)(4) permits the modification of a
11 pretrial scheduling order for good cause;

12 **WHEREAS**, the parties submit that good cause exists (1) to extend the deadline to
13 complete the depositions of Jeanne Helfrich, Robin Foshee, Procter & Gamble, and Onyx Corp.
14 to May 1, 2020, and (2) to extend the deadline to disclose expert rebuttal reports by one month, to
15 May 9, 2020, to allow additional time to depose plaintiffs’ three experts (as well as potentially
16 defendants’ disclosed expert)¹ prior to service of rebuttal reports, because the global Coronavirus
17 (COVID-19) pandemic has created considerable risks associated with travel, *see* Bill Chappell,
18 NPR, *Coronavirus: COVID-19 Is Now Officially A Pandemic, WHO Says* (Mar. 11, 2020); the
19 leading health authorities counsel against all non-essential travel, *see* Centers for Disease Control
20 and Prevention, *Coronavirus Disease 2019 (COVID-19)* (Mar. 7, 2020); and the aforementioned
21 depositions would require multiple attorneys and the witnesses to travel around the country on
22 seven or eight occasions over the next approximately three weeks—subjecting them to substantial
23 risk of contracting and/or spreading COVID-19—if the aforementioned deadlines are not
24 extended;

25 **WHEREAS**, the parties agree that the requested extension best serves the interests of the
26 Court and the parties in efficiently and safely conducting fact depositions and the depositions of

27 _____
28 ¹ Plaintiffs will likely elect to depose defendants’ disclosed expert after the service of rebuttal reports.

1 experts prior to service of expert rebuttal reports;

2 **THEREFORE, THE PARTIES, BY AND THROUGH THEIR RESPECTIVE**
3 **UNDERSIGNED COUNSEL, HEREBY STIPULATE, AND THE COURT ORDERS**
4 **AS FOLLOWS:**

5 The deadline to complete the depositions of Jeanne Helfrich, Robin Foshee, Procter &
6 Gamble, and Onyx Corp. is extended up to and including May 1, 2020;

7 The deadline to disclose expert rebuttal reports is extended up to and including May 9,
8 2020; and

9 Fact discovery otherwise remains closed, and all other dates and deadlines remain
10 unchanged.

11
12 Respectfully submitted,

13 Dated: March 13, 2020

WHITE & CASE LLP

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23 Dated: March 13, 2020

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1 Dated: March 13, 2020

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23 *Stiles 4 U, Inc.*

24 **ORDER**

25 Accordingly, IT IS SO ORDERED THAT:

- 26 1. The deadline to complete the depositions of Jeanne Helfrich, Robin Foshee, Procter &
27 Gamble, and Onyx Corp. is extended up to and including May 1, 2020;
28 2. The deadline to disclose expert rebuttal reports is extended up to and including May 9,
2020; and
3. Fact discovery otherwise remains closed, and all other dates and deadlines remain
unchanged.

DATED: March 24, 2020.


CHIEF UNITED STATES DISTRICT JUDGE