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19
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 ORDER TO
EXTEND THE DEADLINES TO
CONDUCT CERTAIN FACT
DEPOSITIONS TO MAY 22, 2020
AND TO DISCLOSE EXPERT
REBUTTAL REPORTS TO MAY 29,
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 May 1, 2020, and discovery is otherwise
6 closed;

7 **WHEREAS**, the present deadline to disclose expert rebuttal reports is May 11, 2020, and
8 the parties may need to depose opposing parties’ experts, whom were disclosed on March 9,
9 2020, in advance of the deadline to serve expert rebuttal reports;

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 22, 2020, and (2) to extend the deadline to disclose expert rebuttal reports to May 29,
15 2020, to allow additional time to depose opening experts, whether in person or by other means
16 such as video conference. As established in the parties’ March 13, 2020 stipulation (ECF No.
17 417), the global Coronavirus (COVID-19) pandemic has created considerable risks associated
18 with travel, *see* Bill Chappell, NPR, *Coronavirus: COVID-19 Is Now Officially A Pandemic*,
19 *WHO Says* (Mar. 11, 2020); the leading health authorities counsel against all non-essential travel,
20 *see* Centers for Disease Control and Prevention, *Coronavirus Disease 2019 (COVID-19)* (Mar. 7,
21 2020); and the aforementioned depositions would require multiple attorneys and the witnesses to
22 travel around the country on several occasions over the next four to five weeks—subjecting them
23 to substantial risk of contracting and/or spreading COVID-19—if the aforementioned deadlines
24 are not extended. Recently, the President extended federal social distancing guidelines through
25 April 30, 2020—just 11 days prior to the current deadline to serve expert rebuttal reports. *See*
26 Paul LeBlanc, Jason Hoffman and Kevin Liptak, Trump extends federal social distancing
27 guidelines to April 30, CNN.com, *available at* [https://www.cnn.com/2020/03/29/politics/trump-](https://www.cnn.com/2020/03/29/politics/trump-coronavirus-press-conference/index.html)
28 [coronavirus-press-conference/index.html](https://www.cnn.com/2020/03/29/politics/trump-coronavirus-press-conference/index.html); and

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Attorneys for Defendant American International Industries

Dated: April 9, 2020

PIERCE BAINBRIDGE BECK PRICE & HECHT LLP

/s/ Dan Terzian

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(as authorized on April X, 2020)
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PURSUANT TO STIPULATION OF THE PARTIES, IT IS SO ORDERED.

Dated: April 17, 2020



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE