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14		DISTRICT COURT
15	EASTERN DISTRICT OF CALIFORNIA	
16 17	DANIEL BRUNO, Individually and on behalf of others similarly situated,	Case No. 2:17-cv-00327-WBS-EFB
18	Plaintiff,	STIPULATED REQUEST AND ORDER TO
19	v.	MODIFY THE SCHEDULING ORDER
20	EQUIFAX INFORMATION SERVICES,	
21	LLC et al.,	
22	Defendants.	
23		
24		
25		
26		
27		
28		
	STIPULATION RE SCHEDULING	CASE NO. 2:17-CV-00327-WBS-EFB
		Dockets.Justia.

1	STIPULATED REQUEST TO MODIFY THE SCHEDULING ORDER			
2	Pursuant to Local Rule 144, the undersigned parties submit this stipulated request to			
3	modify the scheduling order.			
4	1. On July 11, 2018, the plaintiff filed a motion to modify the scheduling order to			
5	extend discovery by 90 days and to adjust the motions deadline, pretrial conference date, and			
6 7	trial date accordingly. See ECF Nos. 207, 208, 210. In the motion, the plaintiff explained that			
8	despite the parties' diligent efforts, they have not yet been able to complete previously noticed			
9	depositions of important fact witnesses, including Defendants Robert McGinley, Mark Hassan,			
10	and David Bailey, and will not be able to complete those depositions before the July 16, 2018			
11	discovery cut-off.			
12	2. The defendants do not oppose the plaintiff's motion.			
13	3. Moreover, the plaintiff's motion for class certification and the defendants'			
14 15	motion(s) for summary judgment are due on or before July 23, 2018, which is only one week			
15	after the current close of discovery. See ECF Nos. 73, 171. The Court's July 18, 2017			
17	scheduling order set the discovery cutoff was April 13, 2018, the motions due date was July 23,			
18	2018, the pretrial conference for October 9, 2018, and the trial for December 11, 2018. ECF No.			
19	73. Earlier this year, however, Magistrate Judge Brennan extended the fact discovery deadline			
20	until July 16, 2018, but left the remaining case management schedule (including the July 23,			
21	2018 motions deadline) unchanged. See ECF No. 171. The parties agree that they require more			
22 23	time to complete these critical motions and that they would be prejudiced without such additional			
23	time.			
25	4. In light of the foregoing, the parties agree and stipulate to further modifications to			
26	the Court's scheduling order, as follows:			
27	a. The deadline for completing fact discovery shall be extended from July 16,			
28	2018 until October 16, 2018;			
	STIPULATION EXTENDING TIME 2 CASE NO. 2:17-CV-00327-WBS-EFB			

1	b. The deadline for filing a motion for class certification shall be extended from		
2	July 23, 2018, until October 30, 2018;		
3	c. The deadline for filing dispositive motions shall be extended until 30 days		
4	following the Court's ruling on any motion for class certification;		
5	d. The pretrial conference currently set for October 9, 2018 shall be continued		
6			
7	until April 9, 2019;		
8	e. The trial currently set for December 11, 2018 shall be continued until June 11,		
9	2019; and		
10	5. By entering into this stipulation, the parties do not waive any objections to		
11	pending or future discovery requests that are unrelated to the discovery deadline.		
12	6. Nothing shall restrict any party from filing a dispositive motion prior to the due		
13	date set forth above.		
14	7. The plaintiff's motion to modify the scheduling order, ECF Nos. 207, 208, 210, is		
15			
16	hereby withdrawn, and the hearing scheduled for August 20, 2018 is vacated.		
17	Respectfully Submitted,		
18	Dated: July 19, 2018 /s/ Zachary A. McEntyre		
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	Kevin Borozan (<i>pro hac vice</i>)		
27	Messer Strickler, Ltd.		
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	STIPULATION EXTENDING TIME 3 CASE No. 2:17-CV-00327-WBS-EFB		

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	STIPULATION EXTENDING TIME	4 CASE No. 2:17-CV-00327-WBS-EFB

	ORDER		
1	Having reviewed the parties' stipulation, the Court determines that good cause exists for		
2	the modifications to the scheduling order proposed therein. Accordingly, it is hereby		
3	ORDERED that the scheduling order, ECF No. 73, be modified as follows:		
4 5	1. The deadline for completing fact discovery shall be extended from July 16, 2018		
5 6	until October 16, 2018;		
0 7			
8	2. The deadline for filing a motion for class certification shall be extended from July		
9	23, 2018, until October 30, 2018;		
10	3. The deadline for filing dispositive motions shall be extended until 30 days		
11	following the Court's ruling on any motion for class certification;		
12	4. The pretrial conference currently set for October 9, 2018 shall be continued until		
13	April 9, 2019;		
14	5. The trial currently set for December 11, 2018 shall be continued until June 11,		
15	2019;		
16			
17	6. By entering into this stipulation, the parties do not waive any objections to		
18	pending or future discovery requests that are unrelated to the discovery deadline.		
19	7. Nothing shall restrict any party from filing a dispositive motion prior to the due		
20	date set forth above.		
21	8. The plaintiff's motion to modify the scheduling order, ECF Nos. 207, 208, 210,		
22	is deemed withdrawn, and the hearing scheduled for August 20, 2018 is vacated.		
23			
24	Dated: July 24, 2018		
25	WILLIAM B. SHUBB		
26	UNITED STATES DISTRICT JUDGE		
27			
28			
	STIPULATION EXTENDING TIME 5 CASE NO. 2:17-CV-00327-WBS-EFB		