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 16 GENENTECH, INC.

17 UNITED STATES DISTRICT COURT  
 18 EASTERN DISTRICT OF CALIFORNIA

19  
 20 TIMOTHY PRUITT,  
 21 Plaintiff,  
 22 v.  
 23 GENENTECH, INC.; AND DOES 1  
 24 THROUGH 10, INCLUSIVE,  
 25 Defendants.

Case No. 2:17-CV-00822-JAM-AC

**JOINT STIPULATION AND ORDER  
 SETTING SUMMARY JUDGMENT  
 MOTION BRIEFING DEADLINES**

1 Pursuant to Eastern District of California Local Rules 143 and 144, Plaintiff Timothy  
2 Pruitt (“Plaintiff”) and Defendant Genentech, Inc. (“Defendant”), by their undersigned counsel,  
3 hereby stipulate as follows:

4 WHEREAS, on June 21, 2017, the Court issued a Status (Pre-trial Scheduling) Order  
5 (Dkt. No. 11), setting case deadlines;

6 WHEREAS, the Court subsequently granted the Parties’ joint stipulations to continue the  
7 case deadlines in connection with the Parties’ efforts to schedule private mediation in an effort to  
8 reach a settlement;

9 WHEREAS, pursuant to the Court’s orders of June 21, 2017 (Dkt. No. 11), December 7,  
10 2017 (Dkt. No. 27), and March 5, 2018 (Dkt. No. 30), the deadline for filing dispositive motions  
11 is December 11, 2018, and the dispositive motion hearing is scheduled for January 8, 2019 at 1:30  
12 p.m.;

13 WHEREAS, Defendant intends to file a Motion for Summary Judgment, or, in the  
14 Alternative, Partial Summary Judgment (“Defendant’s Motion”), while Plaintiff does not intend  
15 to file a motion for summary judgment;

16 WHEREAS, the Parties understand that, by operation of the Local Rules and the Federal  
17 Rules of Civil Procedure, Plaintiff’s opposition to Defendant’s Motion will be due on December  
18 24, 2018, and Defendant’s reply will be due on December 31, 2018;

19 WHEREAS, the Parties agree to modify the summary judgment briefing schedule, in  
20 order to minimize disruption to holiday plans of counsel;

21 NOW, THEREFORE, the Parties stipulate that the Court may enter an order providing as  
22 follows:

23 1. Defendant’s Motion for Summary Judgment, or, in the Alternative, Partial  
24 Summary Judgment (“Defendant’s Motion”), shall be filed by the later of (i) one business day  
25 following issuance of the Court entering this Joint Stipulation and Order, or (ii) Friday,  
26 **November 30, 2018**; any papers Plaintiff may file in opposition to Defendant’s Motion shall be  
27 filed by **December 18, 2018**; and any reply papers Defendant may file in support of Defendant’s  
28

