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26 Attorneys for Defendant
 27 FCA US LLC f/k/a Chrysler Group LLC

28 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF CALIFORNIA

SHAWN ALGER as an individual and on
 behalf of all others similarly situated,

Plaintiff,

v.

FCA US LLC f/k/a CHRYSLER GROUP
 LLC, a Delaware Corporation, and DOES 1
 through 100, inclusive,

Defendants.

Case No.: 2:18-cv-00360-MCE-EFB

**STIPULATION AND [PROPOSED]
 ORDER REGARDING DEPOSITION OF
 DEFENDANT FCA US LLC**

Assigned to Hon. Morrison C. England, Jr.
 Courtroom 7, 14th Floor
 Complaint Filed: February 16, 2018

1 Pursuant to Magistrate Judge Edmund F. Brennan’s August 8, 2018 Minute Order (Dkt. No.
2 22) and Local Rule 143, Plaintiff Shawn Alger (“Plaintiff”) and Defendant FCA US LLC f/k/a
3 Chrysler Group LLC (“Defendant”) (together, the “Parties”), by and through their respective
4 counsel, hereby stipulate as follows:

5 **STIPULATION**

6 WHEREAS, Defendant filed a Motion for Protective Order (“Motion”) on July 18, 2018 to
7 prohibit Plaintiff’s Federal Rule of Civil Procedure (“Rule”) 30(b)(6) deposition of Defendant, for
8 which Plaintiff noticed twenty-three deposition topics and attached fourteen document requests
9 (Dkt. No. 18);

10 WHEREAS, the Parties filed their Joint Statement Re Discovery Disagreement on Topics
11 Listed and Documents Requested in Plaintiff’s Fed. R. Civ. P. 30(b)(6) Deposition Notice to
12 Defendant FCA US LLC on August 1, 2018 (Dkt. No. 21);

13 WHEREAS, Defendant’s Motion was heard on August 8, 2018;

14 WHEREAS, the Court entered a Minute Order on August 8, 2018 denying Defendant’s
15 Motion and directing the Parties to submit a Stipulation and Proposed Order designating the number
16 of proposed witnesses and estimated time required for the deposition, as discussed at the hearing
17 (Dkt. No. 22);

18 WHEREAS, Plaintiff’s counsel sent an email to defense counsel on August 13, 2018 that
19 grouped and narrowed the scope of topics for the Rule 30(b)(6) deposition to include the following
20 categories and corresponding topics: NHTSA Complaints, Complaints Generally, and Internal
21 Investigations (Topics 2, 3, 4, and 17); Design and Testing Documents (Topics 6, 7, 8, 9); Warranty
22 Documents (Topics 13, 14, 15, and 19); Replacement Headrests (Topic 16); and E-mail retention
23 policies (Topic 23);

24 WHEREAS, the Parties met and conferred telephonically on August 14, 2018 to discuss the
25 proposed deposition categories, topics, related document requests, location, designated witnesses,
26 and timing;

27 WHEREAS, the Parties agreed that Defendant would produce two witnesses to be deposed
28 at the Law Firm of Miller, Canfield, Paddock and Stone, P.L.C. in Troy, Michigan;

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WHEREAS, Defendant will produce documents for the document request categories (attached as Exhibit A to the deposition notice) that correspond with the deposition categories and topics discussed by the Parties, including document request numbers 3-8 and 10-14; and

WHEREAS, the Parties estimate that the total time for the deposition will be approximately seven hours but will meet and confer if additional time is needed. The Parties are in the process of finalizing the date(s) for the deposition.

NOW, THEREFORE, undersigned counsel for the Parties, having met and conferred, stipulate and agree as follows:

1. Defendant will designate two witnesses to be deposed at the Law Firm of Miller, Canfield, Paddock and Stone, P.L.C. in Troy, Michigan on a date or dates to be determined by the Parties; and
2. The Parties estimate that the total time for the deposition will be approximately seven hours but will meet and confer if additional time is needed.

Dated: August 17, 2018

Respectfully submitted,

KERSHAW, COOK & TALLEY PC

By: /s/Stuart C. Talley
STUART C. TALLEY
WILLIAM A. KERSHAW
IAN J. BARLOW

Attorneys for Plaintiff and the putative Class

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Dated: August 17, 2018.

DYKEMA GOSSETT LLP


By: /s/ Fred J. Fresard
DOMMOND E. LONNIE
JAMES P. FEENEY
FRED J. FRESARD
ABIRAMI GNANADESIGAN

Attorneys for Defendant
FCA US LLC f/k/a/ Chrysler Group LLC

[PROPOSED] ORDER

IT IS SO ORDERED.

DATED: August 21, 2018



Chief United States Magistrate Judge Edmund F. Brennan