

1 HILGERS GRABEN PLLC  
2 Michael Merriman (SBN 234663)  
3 mmerriman@hilgersgraben.com  
4 655 West Broadway, Suite 900  
5 San Diego, CA 92101  
6 Telephone: (619) 369-6232

7 Bennett Rawicki (*pro hac vice*)  
8 brawicki@hilgersgraben.com  
9 7859 Walnut Hill Lane, Suite 335  
10 Dallas, TX 75230  
11 Telephone: (469) 640-6842

12 *Attorneys for the Plaintiff  
13 and the Proposed Classes*

14 Heather M. Burke (SBN 284100)  
15 **WHITE & CASE** LLP  
16 3000 El Camino Real  
17 2 Palo Alto Square, Suite 900  
18 Palo Alto, CA 94306-2109  
19 Telephone: (650) 213-0300  
20 Facsimile: (650) 213-8158  
21 hburke@whitecase.com

22 *Attorney for Defendant  
23 Experian Information Solutions, Inc.*

24 *[Additional attorneys on signature page]*

Stephen McIntyre (SBN 274481)  
O'MELVENY & MYERS LLP  
400 South Hope Street  
Los Angeles, CA 90071  
Telephone: (213) 430-6000  
Facsimile: (213) 430-6407  
smcintyre@omm.com

*Attorney for Defendant TransUnion*

McGregor W. Scott (SBN 142413)  
KING & SPALDING LLP  
621 Capitol Mall, Suite 1500  
Sacramento, CA 95814  
Telephone: (916) 321-4818  
Facsimile: (916) 321-4900  
mscott@kslaw.com

*Attorney for Defendant Equifax Inc.*

17 **UNITED STATES DISTRICT COURT**  
18 **EASTERN DISTRICT OF CALIFORNIA**

19 DR. DERRICK ADAMS, on behalf of himself  
20 and those similarly situated,

21 Plaintiff,

22 v.

23 EXPERIAN INFORMATION SOLUTIONS,  
24 INC., EQUIFAX INC., AND TRANSUNION,

25 Defendants.

No. 2:23-CV-01773-DJC-JDP

**STIPULATION AND ORDER FOR  
EXTENSION OF TIME FOR MOTION  
TO DISMISS BRIEFING SCHEDULE**

Hearing: February 29, 2024  
Time: 1:30 PM  
Place: Robert T. Matsui  
U.S. Courthouse  
Courtroom 10  
501 I Street  
Sacramento, CA 95814  
Judge: Hon. Daniel J. Calabretta

1 **STIPULATION AND ORDER**

2 Pursuant to Eastern District of California Local Rules 143 and 144 and this Court’s  
3 Standing Order in Civil Actions, Plaintiff Dr. Derrick Adams and Defendants Experian  
4 Information Solutions, Inc. (“Experian”), Equifax Inc. (“Equifax”), and TransUnion  
5 (collectively, “Defendants”), by and through their undersigned counsel, submit this  
6 Stipulation and [Proposed] Order for Extension of Time for the Motion to Dismiss Briefing  
7 Schedule:

8 WHEREAS Plaintiff filed the Complaint in the above-captioned action on August  
9 22, 2023;

10 WHEREAS on September 19, 2023, the Court granted Defendants’ request to  
11 extend the time to respond to Plaintiff’s Complaint to November 2, 2023 (Doc. 21);

12 WHEREAS Defendants filed their Motion to Dismiss Plaintiff’s Complaint on  
13 November 2, 2023 (Doc. 40);

14 WHEREAS, according to Local Rule 230(c) and 230(d), Plaintiff’s opposition to  
15 Defendants’ Motion to Dismiss is currently due on November 16, 2023, and Defendants’  
16 reply in support of that motion is currently due November 27, 2023;

17 WHEREAS Plaintiff and Defendants have agreed that Plaintiff would have 45 days  
18 to respond to Defendants’ Motion to Dismiss (December 18, 2023), and Defendants  
19 would have 21 days to reply to that response (January 8, 2024);

20 WHEREAS no scheduling order has been entered in this matter and this requested  
21 extension was incorporated by the Defendants into the scheduling of the hearing on the  
22 Motion to Dismiss, currently scheduled for February 29, 2024;

23 WHEREAS the Court has not before granted an extension to Plaintiff in this case;

24 WHEREAS good cause supports extending the Parties’ time for responding and  
25 replying to the Motion to Dismiss, to provide time for the Parties to do so efficiently and  
26 thoroughly;

27 WHEREAS this Stipulation is without prejudice to any available actions or  
28

1 defenses.

2 NOW, THEREFORE, pursuant to Local Rules 143 and 144 and this Court's  
3 Standing Order in Civil Actions, it is hereby stipulated by and between Plaintiff and  
4 Defendants and through their counsel of record that Plaintiff's time to respond to  
5 Defendants' Motion to Dismiss is extended to December 18, 2023, and Defendants' time  
6 to reply to that response is January 8, 2024.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 Dated: November 9, 2023

By: /s/ Michael Merriman

2

Michael Merriman (SBN 234663)  
HILGERS GRABEN PLLC  
655 West Broadway, Suite 900  
San Diego, CA 92101  
Telephone: (619) 369-6232  
Email: mmerriman@hilgersgraben.com

3

4

5

6

Bennett Rawicki (*pro hac vice*)  
HILGERS GRABEN PLLC  
7859 Walnut Hill Lane, Suite 335  
Dallas, TX 75230  
Telephone: (469) 640-6842  
Email: brawicki@hilgersgraben.com

7

8

9

*Attorneys for Plaintiff Dr. Adams and the  
Proposed Classes*

10

11 Dated: November 8, 2023

By: /s/ Stephen McIntyre (as authorized  
November 8, 2023)

12

13

Ian Simmons (*pro hac vice*)  
O'MELVENY & MYERS LLP  
1625 Eye Street, NW  
Washington, D.C. 20006  
Telephone: +1 202 383 5300  
Facsimile: +1 202 383 5414  
Email: isimmons@omm.com

14

15

16

17

Stephen McIntyre (SBN 274481)  
O'MELVENY & MYERS LLP  
400 South Hope Street  
18th Floor  
Los Angeles, California 90071  
Telephone: +1 213 430 6000  
Facsimile: +1 213 430 6407  
Email: smcintyre@omm.com

18

19

20

21

Elizabeth McKeen (SBN 216690)  
Danielle Morris (SBN 246295)  
O'MELVENY & MYERS LLP  
610 Newport Center Drive  
17th Floor  
Newport Beach, California 92660  
Telephone: +1 949 823 6900  
Facsimile: +1 949 823 6994  
Email: emckeen@omm.com  
Email: dmorris@omm.com

22

23

24

25

26

*Attorneys for Defendant TransUnion*

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: November 8, 2023

By: *Isl Heather M. Burke* (as authorized  
November 8, 2023)

---

Heather M. Burke (S.B. 284100)  
Jeremy Ostrander (S.B. 233489)  
**WHITE & CASE**LLP  
3000 El Camino Real  
2 Palo Alto Square, Suite 900  
Palo Alto, California 94306  
Telephone: +1 650 213 0300  
Facsimile: +1 650 213 8158  
Email: hburke@whitecase.com  
Email: jostrander@whitecase.com

Robert Milne (*pro hac vice*)  
Jack E. Pace III (*pro hac vice*)  
Bryan Gant (*pro hac vice*)  
Kathryn Swisher (*pro hac vice*)  
**WHITE & CASE**LLP  
1221 Avenue of the Americas  
New York, New York 10020  
Telephone: +1 212 819 8200  
Facsimile: +1 212 354 8113  
Email: rmilne@whitecase.com  
Email: jpace@whitecase.com  
Email: bgant@whitecase.com  
Email: kathryn.swisher@whitecase.com

*Attorneys for Defendant Experian  
Information Solutions, Inc.*

1 Dated: November 8, 2023

By: /s/ McGregor W. Scott (as authorized  
November 8, 2023)

2

McGregor W. Scott (S.B. # 142413)  
KING & SPALDING LLP  
621 Capitol Mall, Suite 1500  
Sacramento, California 95814  
Telephone: +1 916 321 4818  
Facsimile: +1 916 321 4900  
Email: mscott@kslaw.com

3

4

5

6

7

Jeffrey S. Spigel (*pro hac vice*)  
Christopher Yook (*pro hac vice*)  
Emily Marsteller (*pro hac vice*)  
KING & SPALDING LLP  
1700 Pennsylvania Avenue, NW  
Suite 900  
Washington, D.C. 20006  
Telephone: +1 202 737 0500  
Facsimile: +1 202 626 3737  
Email: jspigel@kslaw.com  
Email: cyook@kslaw.com  
Email: emarsteller@kslaw.com

8

9

10

11

12

13

*Attorneys for Defendant Equifax, Inc.*

14

15

16

**IT IS SO ORDERED.**

17

18

Dated: November 9, 2023

/s/ Daniel J. Calabretta

19

THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE

20

21

22

23

24

25

26

27

28