

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LORI GRAY, et al.

No. C-08-00722 -EDL

Plaintiffs,

**ORDER STAYING EXPERT
DISCOVERY DEADLINES PENDING
RESOLUTION OF MOTION FOR CLASS
CERTIFICATION**

v.

GOLDEN GATE NATIONAL
RECREATIONAL AREA, et al.

Defendants.

During the hearing on Plaintiff's Motion for Class Certification on April 5, 2011, the Court informed the parties that it intends to await the U.S. Supreme Court's decision in Wal-Mart Stores v. Dukes, No. 10-277, or until the end of the Supreme Court's current term, before ruling on the motion. The Court ordered the parties to meet and confer about what, if any, modifications to the existing case schedule should be made in light of this potential short delay in the Court's decision on the motion for class certification. The parties agree that the minimal fact discovery that remains to be done should proceed as scheduled, but expert discovery deadlines should be stayed to avoid potential unnecessary expense. Good cause appearing, it is hereby ordered that the expert discovery deadlines previously set by the Court are stayed, and will be re-set as necessary following the Court's ruling on Plaintiff's motion for class certification.

During the April 5, 2011 hearing, the Court also ordered the parties to meet and confer about potential modification of Plaintiff's proposed class definition. The following shall be the operative proposed class definition as the Court considers certification of the class, though Defendants maintain that certification of even this modified class is inappropriate for the reasons stated in their opposition to the Motion for Class Certification:

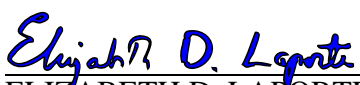
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All persons with mobility and/or vision disabilities who are being denied programmatic access under the Rehabilitation Act of 1973 due to barriers at park sites owned and/or maintained by Golden Gate National Recreation Area.

For the purpose of class certification, persons with mobility disabilities are those who use wheelchairs, scooters, crutches, walkers, canes, or similar devices to assist their navigation. For purposes of class certification, persons with vision disabilities are those who due to a vision impairment use canes or service animals for navigation.

IT IS SO ORDERED.

Dated: April 11, 2011



ELIZABETH D. LAPORTE
United States Magistrate Judge