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 13 Attorneys for Defendant
 COMCAST CORPORATION

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

17 SHAWN BLOUIN, individually and on
 behalf of other persons similarly situated,

18 Plaintiff,

19 vs.

20 COMCAST CORP. and DOES 1-50,

21 Defendants.
 22

Case No. 3:08-CV-04787-MEJ

**STIPULATION AND ~~PROPOSED~~
 ORDER FURTHER MODIFYING
 DEADLINES**

1 Plaintiff Shawn Blouin (“Plaintiff”) and Defendant Comcast Corporation (“Comcast”), the
2 parties to the above-entitled action (collectively referred to herein as the “Parties”), submit this
3 Stipulation to the Court:

4 **STIPULATION**

5 WHEREAS, on January 16, 2009, the Court vacated the January 22, 2009 Case
6 Management Conference and issued a Case Management Order (“Order”);

7 WHEREAS, on June 29, 2009, by request of the Parties, the Court issued an order
8 continuing the case deadlines based on the Parties’ inability to schedule a mediation with a
9 mutually-agreed upon mediator before September 16, 2009;

10 WHEREAS, the parties then did schedule a mediation for September 16, 2009 with Mark
11 Rudy, a very widely respected mediator, very frequently used in this type of class action;

12 WHEREAS, following the Court’s June 29, 2009 order, the parties engaged in extensive
13 fact discovery; and continue to engage in it;

14 WHEREAS, as part of the discovery process for purpose of the mediation, Comcast has
15 voluntarily engaged in an extensive effort to collect the necessary data for the entire putative class
16 in this wage and hour action, which includes Comcast’s Call Centers across California, dating
17 back to September 2004, and includes the wage and hour data of thousands of employees;

18 WHEREAS, the above-described data collection process could not be completed in
19 advance of the September 16, 2009 mediation;

20 WHEREAS, the Parties therefore agreed to postpone the September 16, 2009 mediation,
21 so that further discovery and data collection can be completed sufficiently in advance of the
22 mediation so as to facilitate informed and substantive mediation discussions;

23 WHEREAS, the Parties re-scheduled the mediation for the first date available for the
24 mediator, December 16, 2009;

25 WHEREAS, the discovery cutoff under the current scheduling order is November 30,
26 2009, before the newly scheduled mediation;

27 WHEREAS, while the parties intend to proceed with fact discovery in advance of the
28 mediation, and at the same time the parties note that in order to conserve litigation resources prior

1 to the mediation , it is best to postpone corporate depositions under F.R.Civ.P. 30(b)(6) and
2 expert discovery, if the Court will approve an extension of time limits as requested in this
3 stipulation;

4 NOW, THEREFORE, Plaintiff and Comcast, through their undersigned respective
5 counsel, stipulate and request that the Court approve the following revised schedule:

6 Expert Witness Disclosures/Reports

7 12/29/09 Last day to identify all expert witnesses and serve written expert reports.
8 1/12/10 Last day to identify rebuttal experts with disclosures required by Federal
9 Rule of Civil procedure 26(a)(2)(B).

10 Close of Discovery:

11 1/25/10 Deadline for completion of all discovery, including depositions of expert
12 witnesses.

13 Dispositive Motions:

14 3/4/10 Last day to file dispositive motions.
15 4/19/10 Hearing on dispositive motions at 10:00 a.m.

16 Class Certification Motion:

17 5/6/10 Last day to file class certification motion.
18 6/10/10 Hearing on class certification motion at 10:00 a.m.

19 Exchange and Filing of Trial Papers:

20 7/22/10 Last day to meet and confer with respect to the preparation and content of
21 joint pretrial conference statement and to exchange all papers described in
22 Federal Rule of Civil Procedure 26(a)(3).
23 8/5/10 Last day to file the joint pretrial conference statement, all papers described
24 in Federal Rule of Civil Procedure 26(a)(3) and all motions *in limine*.
25 8/12/10 Last day to file oppositions to motions *in limine*.
26 8/20/10 Last day to file trial briefs, a joint set of proposed *voir dire* and any
27 separate *voir dire* questions on which counsel cannot agree, joint proposed
28 jury instructions and joint proposed verdict forms.

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Pretrial Conference:

8/19/10 On August 19, 2010, the Court shall hold a pretrial conference in Courtroom B, 15th Floor of the Federal Building, located at 450 Golden Gate Avenue, San Francisco, California.

Final Pretrial Conference:

9/16/10 On September 16, 2010, the Court shall hold a final pretrial conference.

Trial Date:

9/20/10 The trial shall commence on September 20, 2010. The trial shall last 12 days.

Dated: September 23, 2009

MORGAN, LEWIS & BOCKIUS LLP

By D. Youdey / JSP
Daryl S. Landy
Attorneys for Defendant
COMCAST CORPORATION

Dated: September 23, 2009

SPIRO, MOSS LLP

By /s/
Ira Spiro
Attorneys for Plaintiff
SHAWN BLOUIN

ORDER

In light of the foregoing STIPULATION of the Parties and good cause appearing, the Court ORDERS that the deadlines in this case are hereby modified as follows:

Expert Witness Disclosures/Reports

12/29/09 Last day to identify all expert witnesses and serve written expert reports.

1/12/10 Last day to identify rebuttal experts with disclosures required by Federal Rule of Civil procedure 26(a)(2)(B).

Close of Discovery:

1 1/25/10 Deadline for completion of all discovery, including depositions of expert
2 witnesses.

3 Dispositive Motions:

3/18/10

4 ~~3/4/10~~

4/22/10

5 ~~4/19/10~~

Last day to file dispositive motions.

Hearing on dispositive motions at 10:00 a.m.

6 Class Certification Motion:

7 5/6/10

8 6/10/10

Last day to file class certification motion.

Hearing on class certification motion at 10:00 a.m.

9 Exchange and Filing of Trial Papers:

10 7/22/10

13 8/5/10

15 8/12/10

16 8/20/10

Last day to meet and confer with respect to the preparation and content of
11 joint pretrial conference statement and to exchange all papers described in
12 Federal Rule of Civil Procedure 26(a)(3).

Last day to file the joint pretrial conference statement, all papers described
14 in Federal Rule of Civil Procedure 26(a)(3) and all motions *in limine*.

Last day to file oppositions to motions *in limine*.

Last day to file trial briefs, a joint set of proposed *voir dire* and any
17 separate *voir dire* questions on which counsel cannot agree, joint proposed
18 jury instructions and joint proposed verdict forms.

19 Pretrial Conference:

20 8/19/10

On August 19, 2010, the Court shall hold a pretrial conference in
21 Courtroom B, 15th Floor of the Federal Building, located at 450 Golden
22 Gate Avenue, San Francisco, California.

23 Final Pretrial Conference:

24 9/16/10

On September 16, 2010, the Court shall hold a final pretrial conference.

25 Trial Date:

26 9/20/10

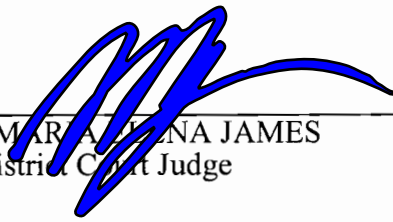
The trial shall commence on September 20, 2010. The trial shall last 12
27 days.

28 To avoid prejudice to both Parties, GOOD CAUSE exists to modify the deadlines in this

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action as described herein.

Dated: September 24, 2009



HON. MARILENA JAMES
U.S. District Court Judge