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14 *(Additional Plaintiff[s] counsel on next page)*

15 Attorneys for Plaintiff and Proposed Class

16
17 **UNITED STATES DISTRICT COURT**
18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

19 ALICIA HARRIS, as an individual
20 and on behalf of all others
21 similarly situated,

22 Plaintiff,

23 v.

24 VECTOR MARKETING
25 CORPORATION, a Pennsylvania
26 corporation; and DOES 1
27 through 20, inclusive,

28 Defendants.

CASE NO. CV 08-5198 EMC

(Assigned to Hon. Edward M. Chen)

**STIPULATION RE PLAINTIFF'S
MOTIONS TO COMPEL; PROPOSED
ORDER**

Discovery Cutoff: March 2, 2011
Trial Date: June 6, 2011

1 **Additional Plaintiff's Counsel**

2 **DIVERSITY LAW GROUP**

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1 Plaintiff Alicia Harris ("Plaintiff" or "Harris") and Defendant Vector
2 Marketing Corporation ("Defendant" or "Vector") enter into this joint
3 stipulation with reference to the following facts:

4 **RECITALS**

5 WHEREAS, Plaintiff Harris served a Notice of Deposition of Defendant
6 Vector Marketing Corporation Pursuant to FRCP 30(b)(6), Requests for
7 Production of Documents and Things Set No. Nine and Special
8 Interrogatories No. Three on Defendant Vector Marketing Corporation on
9 November 24, 2010;

10 WHEREAS, after the parties met and conferred regarding Plaintiff's
11 discovery, Vector agreed, *inter alia*, to provide a declaration and documents
12 in lieu of the 30(b)(6) deposition noticed, but did not waive its right to object
13 to the categories and requests on relevancy and other grounds;

14 WHEREAS, Plaintiff agreed to withdraw the 30(b)(6) deposition notice
15 in exchange for the declaration and documents;

16 WHEREAS, the parties agree that Plaintiff can move to compel a
17 further declaration and/or the production of additional documents under the
18 30(b)(6) deposition notice in lieu of the 30(b)(6) deposition noticed;

19 WHEREAS, the parties agreed to extend the due date for discovery to
20 January 10, 2010, to accommodate Defendant, as Vector Marketing
21 Corporation was closed during the last two weeks of December and
22 personnel were unavailable to collect documents;

23 WHEREAS, Defendant provided responses on January 10, 2011, and
24 the parties have since met and conferred regarding the discovery responses
25 and disagree as to whether or not Plaintiff is entitled to information regarding
26 certain categories;

1 WHEREAS, the parties have agreed to resolve their dispute through
2 briefing, but require an expedited briefing schedule and hearing date in order
3 to receive any further information and documents the Court might order, in
4 time to be utilized in support of a dispositive motion Plaintiff intends to file;

5 WHEREAS, Plaintiff intends to file a motion for summary judgment,
6 and must file the same by February 9, 2011, to regularly notice the motion
7 for hearing on the date already reserved by this Court - March 16, 2011 - the
8 last day to hear dispositive motions;

9 WHEREAS, the Plaintiff and the class wish to have the plaintiff motion
10 for summary judgment motion heard after the opt-out period expires, which
11 is currently set to expire on March 11, 2011, so as to avoid any one-way
12 intervention issues during the opt-out period;

13 WHEREAS, the Parties have agreed to stipulate to an expedited
14 briefing schedule to accomplish these discovery goals;

15 NOW, THEREFORE, it is hereby stipulated by the parties, through
16 their respective counsel of record, as follows:

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18 **STIPULATION**

19 1. Plaintiff shall file motions to compel in regards to Defendant's
20 objections to her November 24, 2010 Deposition Notice, Defendant's
21 responses to Set No. Nine of Production, and Defendant's responses to
22 Special Interrogatories No. Three, on or before January 20, 2011. Plaintiff
23 will be filing three separate motions but expects that there will be substantial
24 overlap between the three, and will seek to incorporate argument wherever
25 possible so as to minimize the pages filed in the moving papers. Defendant
26 shall file its opposition(s) to the Motions to Compel on or before January 25,

1 2011; and Plaintiff shall file no reply brief;

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2 2. The Motion to Compel shall be heard on January 27, 2011, at
3 1:00 p.m., 10:00 a.m.

4 or on a date and time as soon thereafter as convenient for the Court.

5 **IT IS SO STIPULATED.**

6 DATED: January 19, 2011

**MARLIN & SALTZMAN
DIVERSITY LAW GROUP
LAW OFFICES OF SHERRY JUNG**

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By: /S/ Christina A. Humphrey
Christina A. Humphrey, Esq.
of Marlin & Saltzman
Attorneys for Plaintiff

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DATED: January 19, 2011

REED SMITH LLP

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By: /S/ Roxanne M. Wilson
Roxanne M. Wilson, Esq.
Attorneys for Plaintiff

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ORDER

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Based on the above stipulation, **IT IS SO ORDERED.**

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DATED: 1/20/11 _____

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