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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MORRIS BICKLEY and MICHAEL D.)
PATTON, RAYMOND GREWE, and DENNIS)
VANHORN individually and on behalf of all)
others similiarly situated, and the general public)
Plaintiffs,)
v.)
SCHNEIDER NATIONAL CARRIERS, INC.,)
a Nevada corporation, and DOES 1 to 10,)
inclusive,)
Defendant.)

Case No. 3:8-cv-05806-JSW
CLASS ACTION (FRCP 23)
**STIPULATION TO CONTINUE
DATES**
JUDGE: HON. JEFFREY S. WHITE
DEPT: 11
JURY TRIAL DEMANDED

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1 Plaintiffs MORRIS BICKLEY, MICHAEL D. PATTON, RAYMOND GREWE, and
2 DENNIS VANHORN, individually, and on behalf of themselves, all others similarly situated, and
3 the general public (collectively hereinafter “Plaintiffs”) and Defendants SCHNEIDER NATIONAL
4 CARRIERS, INC., a Nevada corporation (hereinafter “Schneider”), hereby stipulate and agree as
5 follows:

6 **WHEREAS**, on November 25, 2008, Plaintiff MORRIS BICKLEY, on behalf of himself
7 and all others similarly situated, filed this class action lawsuit in the United States District Court for
8 the Northern District of California;

9 **WHEREAS**, on February 11, 2009, Plaintiff MICHAEL D. PATTON, on behalf of himself
10 and all others similarly situated, filed a class action lawsuit in the United States District Court for
11 the Central District of California, *Patton v. Schneider National, Inc., et. al.*, Case No. CV 09-1010-
12 MMM, which was premised on similar and, in many respects, identical issues;

13 **WHEREAS**, the parties stipulated to the transfer to the United States District Court for the
14 Northern District of California of the *Patton* action and to agree to the consolidation of the *Patton*
15 action with the *Bickley* action;

16 **WHEREAS**, on December 10, 2009, this Court signed a stipulated Order permitting
17 Plaintiffs BICKLEY and PATTON to file a Consolidated First Amended Complaint, and pursuant
18 to that Order, on January 12, 2010, Plaintiffs BICKLEY and PATTON (hereinafter, the
19 “Intermodal/Dedicated Driver Plaintiffs”) filed their First Amended Consolidated Complaint;

20 **WHEREAS**, on January 21, 2010, the parties jointly moved to amend the scheduling order
21 in light of the consolidation of the *Bickley* and *Patton* cases, and this Court granted the parties joint
22 motion through an Order entered on January 25, 2010;

23 **WHEREAS**, on May 21, 2010, Plaintiffs GREWE and VANHORN (hereinafter, the
24 “Regional Driver Plaintiffs”), on behalf of themselves and all others similarly situated, filed a class
25 action lawsuit in the United States District Court for the Northern District of California, Case No.
26 CV-10-2208-EDL, which was premised on some of the same or similar issues, as well as an
27 Administrative Motion to Consider Whether the Cases Should be Related;

28

1 **WHEREAS**, on June 7, 2010, this Court issued an Order relating the *Bickley-Patton*
 2 consolidated action, Case No. CV 08-05806 JSW, to the *Grewe* action, Case No. CV 10-02208
 3 EDL;

4 **WHEREAS**, on June 14, 2010, Schneider filed a Motion to Dismiss, Stay, or Consolidate
 5 the *Grewe* case;

6 **WHEREAS**, on July 20, 2010, this Court ordered that the *Bickley-Patton* consolidated
 7 action, Case No. CV 08-05806 JSW, be consolidated with the *Grewe* action, Case No. CV 10-02208
 8 EDL for all purposes, and ordered that the parties meet and confer and submit a stipulation no later
 9 than September 3, 2010, regarding the pre-trial schedule and continuing deadlines;

10 **WHEREAS**, on August 20, 2010, plaintiffs filed their consolidated second amended
 11 complaint;

12 **WHEREAS**, on September 2, 2010, pursuant to the Court's July 20, 2010 Order and
 13 F.R.C.P. 26(f), the parties met and conferred regarding the pre-trial schedule, discovery, and
 14 continuing deadlines with respect to all putative class member claims (i.e., dedicated, intermodal,
 15 and regional drivers);

16 **WHEREAS**, pursuant to the Court's July 20, 2010 Order and F.R.C.P. 26(f), the parties
 17 seek an Order allowing them to continue certain deadlines, as well as add new deadlines, in light of
 18 the consolidation of the *Grewe* action with the *Bickley-Patton* action for all purposes.

19 **NOW, THEREFORE**, the parties through their respective counsel of record jointly
 20 stipulate to, propose, and request that the Court adopt the following schedule for the above-
 21 captioned consolidated action:

	CURRENT DUE DATE	NEW DUE DATE
Deadline for Schneider to produce Pay Plans for Intermodal/Dedicated Driver Putative Class Members.	no prior date set	09/30/2010
Initial Disclosures due re Regional Driver Plaintiffs.	no prior date set	09/30/2010

	CURRENT DUE DATE	NEW DUE DATE
Deadline to Produce Class List of Regional Driver Putative Class Members to Third Party Administrator for Distribution of <i>Belaire West</i> Notice. ¹	no prior date set	09/30/2010
Deadline for Schneider and Regional Driver Plaintiffs to agree on form and content of <i>Belaire West</i> notice.	no prior date set	09/30/2010
Case Management Conference re status of discovery	no prior date set	At the Court's convenience but parties request not later than 3/31/2011
Discovery Cut-Off Class Certification	no prior date set	05/02/2011
Last Day to Hear Motion to Amend Pleadings	07/09/2010; 9:00 a.m.	05/02/2011 5/6/2011 at 9:00 a.m.
Mediation Completion Date	08/01/2010 with private mediator selected by parties	05/21/2011 with private mediator selected by parties
Last Day for Plaintiffs or Schneider to file Motions re Class Certification	07/09/2010; 9:00 a.m.	06/04/2011
Opposition Briefs Due re Motions for Class Certification	no prior date set	7/1/2011
Reply Briefs Due re Motions for Class Certification	no prior date set	7/22/2011
Last Day to Hear Class Certification Motions	09/17/2010; 9:00 a.m.	To be determined by Court 8/12/2011 at 9:00 a.m.
Close of Non-Expert Discovery	01/10/2011	11/23/2011

¹The Regional Driver Plaintiffs have agreed to issue discovery requests as soon as possible to which such a list would be responsive.

CERTIFICATE OF SERVICE

I hereby certify that on September 3, 2010, I filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses registered, as denoted on the attached Electronic Mail Notice List. I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

/s/ Lee M. Gordon
LEE M. GORDON

Dated: September 22, 2010
~~Dated: September 8, 2010~~



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