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12
 13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

15
 16 DEE HENSLEY-MACLEAN and SARA
 DUNCAN, on behalf of themselves and all
 17 others similarly situated,

18 Plaintiffs,

19 vs.

20 SAFEWAY INC. and DOES ONE through
 TWENTY, inclusive,

21 Defendants.

Case No. 3:11-CV-01230 RS

CLASS ACTION

**STIPULATION RE PROPOSED
 SCHEDULING ORDER FOLLOWING
 FILING OF FIRST AMENDED
 COMPLAINT AND [~~PROPOSED~~] ORDER
 RE SAME**

Judge: Hon. Richard Seeborg
 Dept.: 3 - 17th floor

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 24 Pursuant to this Court's Order dated April 8, 2013 (Doc. 73), and Civil Local Rule 6-2, the
 25 parties respectfully submit this Stipulation re Proposed Scheduling Order Following Filing of First
 26 Amended Complaint.

27 As set forth in the parties Stipulation for Leave to File First Amended Complaint and
 28 Revise the Scheduling Order filed on April 5, 2013 (Doc. 72), the parties stipulated that plaintiffs

1 could file a First Amended Complaint in this action and vacate dates relating to the class
2 certification process set forth in the Court's Order dated January 18, 2013 (Doc. 70). Per the
3 Court's Order of April 8, 2013 (Doc. 73) such dates were vacated, and plaintiffs filed their First
4 Amended Complaint on April 16, 2013 (Doc. 74), which substituted a new plaintiff, Sara Duncan,
5 as a proposed class representative.

6 Following is the parties' stipulated proposal regarding amendment of dates in this action
7 arising out of the filing of the First Amended Complaint.

8 The parties propose that this Court initially schedule through a motion for class
9 certification as follows. After the Court rules on class certification, the parties will submit
10 proposed dates for merits discovery, dispositive motions, and trial.


- 11 1. **Pre-Discovery Disclosures.** The parties will exchange any information required
12 by Fed. R. Civ. P. 26(a)(1) relating to the new plaintiff, Sara Duncan, by May 3,
13 2013.
- 14 2. **Written Discovery.** The parties will serve all new non-expert discovery requests
15 so as to be completed by June 17, 2013. The parties agree to respond to written
16 discovery requests within twenty (20) days rather than the thirty (30) days
17 permitted under the FRCP. As required by Fed. R. Civ. P. 26(a)(2), reports from
18 experts relating to class certification are due from plaintiffs by May 1, 2013, and
19 from Safeway by July 15, 2013. Reports from rebuttal experts are due from
20 plaintiffs by August 30, 2013.
- 21 3. **Depositions.** The parties will complete all non-expert depositions by July 1,
22 2013. Each party will complete depositions of the other party's expert(s) within 20
23 days of receiving expert reports (10 days for rebuttal experts) and the party
24 producing the expert report shall make its expert available for deposition within
25 that time.
- 26 4. **Class Certification.** Plaintiffs' Motion for Class Certification shall be filed with
27 an opening brief on or before May 1, 2013. Safeway's opposition is due on or
28 before July 15, 2013. Plaintiffs' reply is due by August 30, 2013.

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6 **PURSUANT TO STIPULATION IT IS SO ORDERED:**

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8 Dated: April 22, 2013



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE

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ATTESTATION CLAUSE

I, Gabriel G. Gregg, hereby attest in accordance with General Order 45.X that Stephen Gardner, counsel for Plaintiffs Hensley-Maclean and Rosen, provided his concurrence with the electronic filing of the foregoing document entitled **STIPULATION RE PROPOSED SCHEDULING ORDER FOLLOWING FILING OF FIRST AMENDED COMPLAINT.**

Dated: April 18, 2013

ROBINSON & WOOD, INC.

By: /s/ Gabriel G. Gregg

JESSE F. RUIZ

GABRIEL G. GREGG

Attorneys for Defendant

SAFEWAY INC.