

1 LEE ALBERT (*pro hac vice*)  
2 BENJAMIN D. BIANCO (*pro hac vice*)  
3 MURRAY FRANK LLP  
4 275 Madison Avenue, Suite 801  
5 New York, New York 10016  
6 Telephone: 212-628-1818  
7 Facsimile: 212-682-1892  
8 [lalbert@murrayfrank.com](mailto:lalbert@murrayfrank.com)  
9 [bbianco@murrayfrank.com](mailto:bbianco@murrayfrank.com)

10 ADAM J. LEVITT  
11 WOLF HALDENSTEIN ADLER FREEMAN & HERZ LLC  
12 55 West Monroe Street, Suite 1111  
13 Chicago, Illinois 60603  
14 Telephone: 312-984-0000  
15 [levitt@whafh.com](mailto:levitt@whafh.com)

16 ***Plaintiffs' Interim Co-Lead Counsel***

17 AMIR M. NASSIHI (SBN: 235936)  
18 SHOOK, HARDY & BACON L.L.P.  
19 One Montgomery, Suite 2700  
20 San Francisco, California 94104  
21 Telephone: 415-544-1900  
22 [anassih@shb.com](mailto:anassih@shb.com)

23 JANET L. CONIGLIARO  
24 LECLAIR RYAN  
25 Fairlane Plaza North  
26 290 Town Center Drive, Fourth Floor  
27 Dearborn, Michigan 48126  
28 Telephone: 313-583-5960  
[Janet.Conigliaro@leclairryan.com](mailto:Janet.Conigliaro@leclairryan.com)

JOHN M. THOMAS (SBN: 266842)  
DYKEMA GOSSETT PLLC  
2723 South State Street, Suite 400  
Ann Arbor, Michigan 48104  
Telephone: 734-214-7660  
[jthomas@dykema.com](mailto:jthomas@dykema.com)

***Attorneys for Defendant FORD MOTOR  
COMPANY***

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

3  
4 IN RE FORD TAILGATE LITIGATION

Case No. 11-CV-2953-RS

CLASS ACTION

5 ~~PROPOSED~~  
6 **PRE-TRIAL ORDER NO. 2**

Judge: Hon. Richard Seeborg

7  
8 **WHEREAS**, on February 23, 2012, the Court held an initial case management  
9 conference;

10 **WHEREAS**, on February 24, 2012, the Court consolidated the two related actions (Case  
11 No. 11-CV-3133-RS and Case No. 11-CV-3832-RS) with the instant action; and

12 **WHEREAS**, all parties to the consolidated actions agree to the case management  
13 schedule set forth herein.

14 **NOW, THEREFORE, THE COURT ORDERS** as follows:

15 **I. Consolidated Complaint**

- 16 a. Plaintiffs shall file their consolidated complaint on or before **April 13, 2012**;
- 17 b. Defendant Ford Motor Company (“Ford”) shall answer or otherwise respond to  
18 the consolidated complaint on or before **May 14, 2012**;
- 19 c. If Ford moves to dismiss the consolidated complaint, Plaintiffs shall file their  
20 opposition papers on or before **June 13, 2012**, and Ford shall file its reply  
21 memorandum, if any, on or before **June 29, 2012**.
- 22 d. The hearing on any motion to dismiss shall be held on **July 26, 2012**.

23 **II. Fact Discovery**

- 24 a. Initial disclosures pursuant to Rule 26 of the Federal Rules of Civil Procedure  
25 shall be made on or before **April 27, 2012**.
- 26 b. Fact discovery shall commence on **April 27, 2012**, and close on **November 27,**  
27 **2012**, absent extension by the Court for good cause shown.
- 28

1 **III. Class Certification**

- 2 a. Plaintiffs' motion for class certification shall be filed on or before **January 11,**  
3 **2013.** Deadline to depose Plaintiffs' expert(s) offered in support of their class  
4 certification motion shall be **February 1, 2013.**
- 5 b. Ford shall file its opposition to class certification on or before **February 26,**  
6 **2013.** Deadline to depose defendant's expert(s) offered in support of opposition  
7 briefing shall be **March 19, 2013.**
- 8 c. Plaintiffs shall file their reply in support of their class certification motion on or  
9 before **March 28, 2013.**
- 10 d. The hearing on plaintiffs' motion for class certification shall be held on **April 18,**  
11 **2013.**

12  
13 SO ORDERED:

14  
15 DATED: 3/5/12



16 HON. RICHARD SEEBORG  
17 United States District Judge