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17 Attorneys for Plaintiffs

18 **UNITED STATES DISTRICT COURT**
 19 **NORTHERN DISTRICT OF CALIFORNIA**
 20 **SAN FRANCISCO DIVISION**

21 UELIAN DE ABADIA-PEIXOTO, *et al.*,)
 22)
 Plaintiffs,)
 23)
 v.)
 24)
 UNITED STATES DEPARTMENT OF)
 25 HOMELAND SECURITY, *et al.*,)
 26 Defendants.)
 27)
 28)

Case No.: 3:11-cv-4001 RS
CLASS ACTION
JOINT STIPULATION AND
~~[PROPOSED]~~ ORDER TO EXTEND
DISCOVERY DEADLINES

1 **STIPULATION**

2 Pursuant to Civil Local Rules 6-2 and 7-12, the parties respectfully request an extension
3 for certain discovery deadlines.

4 WHEREAS, on November 8, 2012, after considering a Joint Case Management
5 Statement submitted by the parties, Judge Seeborg ordered to extend the deadline for: (1) fact
6 discovery to February 21, 2013; (2) expert designations to March 22, 2013; (3) supplemental and
7 rebuttal expert designations to April 17, 2013; and (4) expert witness discovery to May 8, 2013
8 (Dkt. Nos. 104, 107);

9 WHEREAS, on November 28, 2012, the parties participated in a settlement conference
10 before Magistrate Judge Beeler;

11 WHEREAS, on December 12, 2012, the court noticed a further Settlement Conference
12 scheduled for February 25, 2013;

13 WHEREAS, on December 17, 2012, the parties stipulated to extend certain discovery
14 deadlines for Defendants to allow them to focus their efforts on settlement and the production of
15 discovery particularly relevant to settlement (Dkt. No. 115);

16 WHEREAS, because the parties have been focusing their time and efforts on settlement
17 and the February 25, 2013 Settlement Conference is currently scheduled after February 21, 2013
18 fact discovery deadline, the parties anticipate needing approximately three additional months to
19 complete fact discovery and two additional months to complete expert discovery;

20 WHEREAS, in light of the requested time modifications, the parties propose to postpone
21 the date for the Further Case Management Conference (currently scheduled for May 16, 2013) to
22 July 16, 2013 or another date convenient to the Court;

23 WHEREAS, in light of the requested time modifications, the parties propose to postpone
24 the hearing for pretrial motions (currently scheduled for August 8, 2013) to September 9, 2013 or
25 another date convenient to the Court;

26 WHEREAS, the requested time modifications would have no effect on the November 18,
27 2013 trial date or the November 7, 2013 final pretrial conference;

1 IT IS HEARBY STIPULATED AND AGREED, subject to approval of the Court, that:

2 1. DISCOVERY. On or before May 14, 2013, all non-expert discovery shall be
3 completed by the parties [*currently February 21, 2013*].

4 2. EXPERT WITNESSES. The disclosure and discovery of expert witnesses and
5 opinions shall proceed as follows:

6 a. On or before May 28, 2013, the parties will designate experts in accordance with
7 Federal Rule of Civil Procedure 26(a)(2) [*currently March 22, 2013*].

8 b. On or before June 17, 2013, the parties will designate their supplemental and
9 rebuttal experts in accordance with Federal Rule of Civil Procedure 26(a)(2) [*currently April 17,*
10 *2013*].

11 c. On or before July 8, 2013, all discovery of expert witnesses pursuant to Federal
12 Rule of Civil Procedure 26(b)(4) shall be completed [*currently May 8, 2013*].

13

14 Dated: January 22, 2013

Respectfully submitted,

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By: /s/ Catherine E. Moreno
Catherine E. Moreno

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Attorneys for Plaintiffs

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By: /s/ Christopher W. Hollis
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SIGNATURE ATTESTATION

I, Catherine E. Moreno, attest that I obtained the concurrence of Christopher W. Hollis in filing this document. I declare under penalty of the laws of the United States that the foregoing is true and correct.

Executed this 22nd day of January, 2013 in Palo Alto, California.

/s/ Catherine E. Moreno
Catherine E. Moreno

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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that:

1. DISCOVERY. On or before May 14, 2013, all non-expert discovery shall be completed by the parties.

2. EXPERT WITNESSES. The disclosure and discovery of expert witnesses and opinions shall proceed as follows:

a. On or before May 28, 2013, the parties will designate experts in accordance with Federal Rule of Civil Procedure 26(a)(2).

b. On or before June 17, 2013, the parties will designate their supplemental and rebuttal experts in accordance with Federal Rule of Civil Procedure 26(a)(2).

c. On or before July 8, 2013, all discovery of expert witnesses pursuant to Federal Rule of Civil Procedure 26(b)(4) shall be completed.

3. FURTHER CASE MANAGEMENT CONFERENCE. A Further Case Management Conference shall be held on July 18, _____, 2013 at 10:00 a.m./p.m. in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California.

4. PRETRIAL MOTIONS. All pretrial motions must be filed and served pursuant to Civil Local Rule 7. All pretrial motions shall be heard on August 29 __, 2013 at 1:30 __ a.m./p.m., in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California.

IT IS SO ORDERED.

Date: 1/24 _____, 2013

Honorable Richard Seeborg
United States District Judge