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Attorneys for Defendant Umpqua Bank

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

AMBER HAWTHORNE, CHRISTOPHER
 KNEER, and VICTORIA KNEER on Behalf of
 Themselves and All Others similarly situated,

Plaintiffs,

vs.

UMPQUA BANK,

Defendant.

Civil Action No.: 3:11-cv-06700-JST

Honorable Jon S. Tigar

**STIPULATION TO AMEND
 SCHEDULING ORDER**

1 Plaintiffs Amber Hawthorne, Christopher Kneer, and Victoria Kneer (collectively,
2 “Plaintiffs”) and Defendant Umpqua Bank (“Defendant”), by and through their respective attorneys
3 of record, stipulate and agree as follows:

4 WHEREAS, pursuant to the Court’s Scheduling Order (Docket No. 54), deadlines have been
5 set for class certification motion briefing in advance of a June 5, 2014 class certification hearing.
6 Plaintiffs’ motion for class certification is currently due to be filed on March 20, 2014, and
7 Defendant’s opposition to that motion is currently due to be filed on April 25, 2014.

8 WHEREAS, the Parties have been working together to complete the discovery that Plaintiffs
9 seek in advance of the proceedings on class certification. Defendant concluded its document
10 production in October 2013. However, in light of the Court’s recent order granting Plaintiffs leave
11 to file their Third Amended Complaint, Defendant has agreed to supplement its document
12 production and a number of its prior interrogatory responses. Defendant is currently in the process
13 of gathering and preparing documents for the supplemental production it agreed to provide, and has
14 determined that a large portion of those documents are maintained in hard copy format only, making
15 it more time consuming to gather, scan, upload, and process those documents so they may be
16 produced in the format Plaintiffs requested. Defendant anticipates the production of a few thousand
17 pages of documents.

18 WHEREAS, the Parties are currently in the process of finalizing dates to complete the
19 depositions of Defendant’s representatives, which were delayed while the parties met and conferred
20 to resolve their dispute regarding the scope of the original Federal Rule of Civil Procedure 30(b)(6)
21 deposition notice that Plaintiffs served on Defendant. One Rule 30(b)(6) deposition was convened
22 on December 20, 2013 on limited topics. Plaintiffs would like the opportunity to review the
23 supplemental production that Defendant has agreed to provide in advance of taking any further
24 depositions.

25 WHEREAS, the Parties agree that a short extension of time for Plaintiffs to file their motion
26 for class certification is reasonable under the above-described circumstances, and that commensurate
27 extensions should be made to the other class certification briefing deadlines.

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1 WHEREAS, the Scheduling Order does not provide a deadline for Plaintiffs to file their reply
2 brief in support of class certification, and the Parties would like to set a clear deadline for Plaintiffs
3 to file a reply brief to remove any potential ambiguity.

4 IT IS HEREBY STIPULATED THAT:

5 The Parties agree, subject to Court approval, to amend the deadlines for class certification
6 briefing as follows:

Activity	Current Deadline	Requested Deadline
Deadline for Plaintiffs' motion for class certification	March 20, 2014	May 7, 2014
Deadline for Defendant's opposition to Plaintiffs' motion for class certification	April 25, 2014	June 11, 2014
Deadline for Plaintiffs' reply in support of motion for class certification	Currently None	June 25, 2014
Deadline for the Parties to file Joint Case Management Statement	May 22, 2014	14 days prior to Case Management Conference
Hearing on Plaintiffs' motion for class certification and further Case Management Conference	June 5, 2014 at 2:00 p.m.	TBD by Court

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17 Currently, June 5, 2014 at 2:00 p.m. is the hearing date on Plaintiffs' class certification
18 motion and further Case Management Conference. The Parties are conscious the Court will want
19 sufficient time to review and analyze the Parties' class certification briefing and evidence, and that
20 the requested amendments to the briefing schedule may impact the Court's preparation for the
21 hearing. As such, the Parties respectfully request that the Court advise them of a new date and time
22 for the hearing and further Case Management Conference. Above, the Parties agree to file a Joint
23 Case Management Statement no later than 14 days prior to the Case Management Conference, which
24 time period is consistent with the existing Scheduling Order.

25 Pursuant to Local Civil Rule 6-2(a), attached as Exhibit A is a joint declaration in support of
26 this Stipulation.

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DATED: February 28, 2014

KOPELOWITZ OSTROW P.A.
TYCKO AND ZAVAREEI, LLP
THE BALL LAW FIRM, L.L.P.

By /s/ Hassan A. Zavareei
Hassan A. Zavareei

Attorneys for Plaintiffs AMBER HAWTHORNE,
CHRISTOPHER KNEER, and VICTORIA KNEER

DATED: February 28, 2014

REED SMITH LLP

By /s/ Scott H. Jacobs
Scott H. Jacobs

Attorneys for Defendant UMPQUA BANK

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: March 4, 2014



The Honorable Jon S. Tigar
UNITED STATES DISTRICT JUDGE

1 **FILER'S ATTESTATION**

2 Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that
3 all parties have concurred in the filing of this Stipulation.

4 DATED: February 28, 2014

5 KOPELOWITZ OSTROW P.A.
6 TYCKO AND ZAVAREEI, LLP
7 THE BALL LAW FIRM, L.L.P.

8 By /s/ Hassan A. Zavareei
9 Hassan A. Zavareei

10 Attorneys for Plaintiffs AMBER HAWTHORNE,
11 CHRISTOPHER KNEER, and VICTORIA KNEER