



1 WHEREAS, Plaintiffs declined to make their experts available for deposition until the  
2 Court rules on the Motion to Stay; and

3 WHEREAS Frito-Lay would be prejudiced by being required to respond to Plaintiffs’  
4 Motion for Class Certification without deposing Plaintiffs’ experts;

5 The parties hereby STIPULATE and AGREE, subject to the Court’s approval, that the  
6 current deadlines regarding expert depositions and briefing on Plaintiffs’ Class Certification  
7 Motion be extended, and that, if the Court does not grant Plaintiffs’ Motion to Stay with respect  
8 to the class certification briefing, the parties will be bound by the following schedule:

9 Deposition of Plaintiffs’ Class Certification 10 Expert(s) (if any) by	45 days after ruling on the Motion to Stay
11 Date for Frito-Lay’s Class Certification 12 Expert(s) Disclosure(s), Including Reports 13 (if any)	21 days after deadline to depose Plaintiffs’ Class Certification Expert(s)
14 Date for Frito-Lay’s Opposition to Plaintiffs’ 15 Class Certification Motion	21 days after deadline to depose Plaintiffs’ Class Certification Expert(s)
16 Deposition of Frito-Lay’s Class Certification 17 Expert(s) (if any) by	21 days after deadline to file Frito-Lay’s Opposition to Plaintiffs’ Motion for Class Certification
18 Date for Plaintiffs’ Reply in Support of Class 19 Certification	21 days after deadline to depose Frito-Lay’s Class Certification Expert(s)
20 Class Certification Hearing	<del>To be determined</del> November 13, 2015

at 10:00 AM

21 IT IS SO STIPULATED.  
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Dated: May 28, 2015

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/s/ David McMullan, Jr.  
David McMullan, Jr. (*pro hac vice*)  
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*Attorney for Defendant  
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In accordance with N.D. Cal. Local Rule 5-1, Andrew S. Tulumello attests that David McMullan, Jr. has consented to the filing of this document.

/s/ Andrew S. Tulumello

**IT IS SO ORDERED**, this the 18 day of June 2015.

  
Hon. Samuel Conti  
United States District Judge  
Northern District of California