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1	GREGORY C. CHENG State Bar No. 226865 gregory.cheng@ogletreedeakins.com	
2	BROOKE S. PURCELL State Bar No. 260058 brooke.purcell@ogletreedeakins.com	
3	OGLETREE, DEAKINS, NASH, SMOAK & Steuart Tower, Suite 1300	STEWART, P.C.
4	One Market Plaza San Francisco, CA 94105	
5	Telephone: 415.442.4810 Facsimile: 415.442.4870	
6 7	Attorneys for Defendant HOME DEPOT U.S.A., INC.	
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9	UNITED STATE	CS DISTRICT COURT
10	NORTHERN DIST	RICT OF CALIFORNIA
11	AARON LEWIS,	Case No.: 3:12-cv-06354- EMC
12	Plaintiff,	STIPULATION AND [PROPOSED] ORDER
13	v.	MODIFYING CASE MANAGEMENT AND PRETRIAL ORDER FOR JURY TRIAL;
14	THE HOME DEPOT U.S.A., INC., a	DECLARATION OF GREGORY C. CHENG IN SUPPORT THEREOF
15	corporation; ELENA PEREZ, an individual, and DOES 1 - 20,	Trial Date: July 28, 2014
16	Defendants.	Time: 8:30 a.m. Courtroom: 5, 17 th Floor
17		Action filed: November 15, 2012
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28		Case No. 3:12-cv-06354-EMC
		ODIFYING CASE MANAGEMENT AND PRETRIAL OF GREGORY C. CHENG IN SUPPORT THEREOF
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2IT IS HEREBY STIPULATED by and between plaintiff Aaron Lewis ("Plaintiff") and defenda3Home Depot U.S.A., Inc. ("Defendant"), through their respective attorneys of record, that the4following Stipulation be entered as an Order by the Court to give effect to the stipulations set for5below:61. WHEREAS, Plaintiff filed a civil action on November 15, 2012 alleging numeror7claims related to the termination of his employment from Defendant.82. WHEREAS, on August 23, 2013, entered a Case Management and Pretrial Order9for Jury Trial, Docket Number 43 (hereinafter, "Case Management Order").103. WHEREAS, the Case Management Order instructed that:11a. Non-expert discovery shall be cut-off on February 6, 2014;12b. Expert reports shall be produced by February 27, 2014; and14d. Expert Discovery shall be cut-off on March 20, 2014.154. WHEREAS, counsel for Plaintiff and Defendant met and conferred in-person or16Monday, January 6, 2014 on a range of discovery issues at the United States District Court for19witnesses. Several of the depositions are of witnesses who are located out-of-state.106. WHEREAS, good cause exists for discovery deadlines to be extended by thirty of21days in order to allow the parties ample time to complete non-expert depositions and to also to22pursue efforts to resolve this matter.237. WHEREAS, the parties, through their respective counsel of record, agree and	
 Home Depot U.S.A., Inc. ("Defendant"), through their respective attorneys of record, that the following Stipulation be entered as an Order by the Court to give effect to the stipulations set for below: 1. WHEREAS, Plaintiff filed a civil action on November 15, 2012 alleging numeror claims related to the termination of his employment from Defendant. 2. WHEREAS, on August 23, 2013, entered a Case Management and Pretrial Order for Jury Trial, Docket Number 43 (hereinafter, "Case Management Order"). 3. WHEREAS, the Case Management Order instructed that: a. Non-expert discovery shall be cut-off on February 6, 2014; b. Expert reports shall be produced by February 27, 2014; and d. Expert Discovery shall be cut-off on March 20, 2014. 4. WHEREAS, consel for Plaintiff and Defendant met and conferred in-person of Monday, January 6, 2014 on a range of discovery issues at the United States District Court for Northern District of California. 5. WHEREAS, the parties are in the process of scheduling multiple depositions of witnesses. Several of the depositions are of witnesses who are located out-of-state. 6. WHEREAS, good cause exists for discovery deadlines to be extended by thirty of days in order to allow the parties ample time to complete non-expert depositions and to also to pursue efforts to resolve this matter. 7. WHEREAS, the parties, through their respective counsel of record, agree and 	
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23 7. WHEREAS, the parties, through their respective counsel of record, agree and	
24 stipulate that the following deadlines be extended by approximately thirty (30) days:	
25 a. Non-expert discovery cut-off date shall be extended from February 6, 20	4
26 to March 10, 2014;	
27b.Deadline to produce expert reports shall be extended from February 6, 20	14
28 to March 10, 2014;	
1 Case No. CV 12-06354- STIPULATION AND [PROPOSED] ORDER MODIFYING CASE MANAGEMENT AND PRETRIAL	
ORDER FOR JURY TRIAL; DECLARATION OF GREGORY C. CHENG IN SUPPORT THEREOI	

1	c. Deadline to produce rebu	ittal expert reports shall be extended from February	
2	27, 2014 to March 31, 20	014; and	
3	d. Expert discovery cut-off	shall be extended from March 20, 2014 to April 21,	
4	2014.		
5	DATED: Jonuory 0, 2014	LAW OFFICES OF ALAN F. COHEN	
6	DATED: January 9, 2014	LAW OFFICES OF ALAN F. COHEN	
7	Dur	/s/ Alan F. Cohen	
8	by.	ALAN F. COHEN Attorneys for Plaintiff	
9		AARON LEWIS	
10			
11	DATED: January 9, 2014	OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.	
12		SILWARI, I.C.	
13	By:	/s/ Brooke S. Purcell	
14	by.	GREGORY C. CHENG BROOKE S. PURCELL	
15		Attorneys for Defendant HOME DEPOT U.S.A., INC.	
16			
17	SIGNATURE	E ATTESTATION	
18	Pursuant to Civil Local Rule 5-1(i)(3), I	attest that concurrence in the filing of this	
19 20	document has been obtained from the other signatory.		
20	DATED: January 9, 2014	OGLETREE, DEAKINS, NASH, SMOAK &	
21	DATED. January 9, 2014	STEWART, P.C.	
23			
24	By:	/s/ Brooke S. Purcell GREGORY C. CHENG	
25		BROOKE S. PURCELL Attorneys for Defendants	
26		HOME DEPOT U.S.A., INC.	
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-	STIDUL ATION AND IDDODOSEDLODDED MA	2 Case No. CV 12-06354-EMC	
	ORDER FOR JURY TRIAL; DECLARATION	ODIFYING CASE MANAGEMENT AND PRETRIAL OF GREGORY C. CHENG IN SUPPORT THEREOF	

1	DECLARATION OF GREGORY C. CHENG
2	I, Gregory C. Cheng, declare:
3	1. I am an attorney at law duly admitted to practice before all the courts of the State of
4	California and the Northern District of California. I am a shareholder at the law firm of Ogletree,
5	Deakins, Nash, Smoak & Stewart, P.C. and lead trial counsel in this matter for defendant The
6	Home Depot U.S.A., Inc. ("Home Depot").
7	2. I have personal knowledge of the matters stated herein. I submit this declaration
8	pursuant to Civil Local Rule 6-2(a) in support of Home Depot and plaintiff Aaron Lewis'
9	Stipulation to Extend Discovery Deadlines.
10	3. The enlargement of time for discovery related deadlines is necessary so that the
11	parties (1) will have sufficient time to complete numerous depositions, of which some will be
12	scheduled to take place out-of-state, before the discovery cut-off date; and (2) may continue efforts
13	to informally resolve this matter.
14	4. No prior time modifications have been requested by the parties in this matter.
15	5. The requested time modifications will impact non-expert and expert discovery
16	deadlines. However, the requested time modifications should not substantively impact other
17	deadlines in this matter.
18	I declare under penalty of perjury under the laws of the United States of America and the
19	State of California that the foregoing is true and correct.
20	Executed on January 9, 2014 in San Francisco, California.
21	/s/ Gregory C. Cheng
22	Gregory C. Cheng
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28	3 Case No. CV 12-06354-EMC
	STIPULATION AND [PROPOSED] ORDER MODIFYING CASE MANAGEMENT AND PRETRIAL ORDER FOR JURY TRIAL; DECLARATION OF GREGORY C. CHENG IN SUPPORT THEREOF

1	[PROPOSED] ORDER
2	PURSUANT TO STIPULATION, IT IS SO ORDERED.
3	The August 23, 2013 Case Management and Pretrial Order for Jury Trial is modified such
4	that:
5	1. Non-expert discovery cut-off shall be extended by one month from February 6,
6	2014 to March 10, 2014;
7	2. The deadline to produce expert reports shall be extended by one month from
8	February 6, 2014 to March 10, 2014;
9	3. The deadline to produce rebuttal expert reports shall be extended by one month
10	from February 27, 2014 to March 31, 2014; and
11	4. Expert discovery cut-off shall be extended by one month from March 20, 2014 to
12	April 21, 2014.
13	STATES COUNTY
14	DATED: January 21, 2014
15 16	HONORA HEA
10	United Sta Judge Edward M. Chen
18	THRN DISTRICT OF CT
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	4 Case No. CV 12-06354-EMC STIPULATION AND [PROPOSED] ORDER MODIFYING CASE MANAGEMENT AND PRETRIAL
	STIPULATION AND [PROPOSED] ORDER MODIFYING CASE MANAGEMENT AND PRETRIAL ORDER FOR JURY TRIAL; DECLARATION OF GREGORY C. CHENG IN SUPPORT THEREOF