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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

STEPHANIE ALLEN, an Individual, and  
ROSETTA STONE, LTD., a Virginia  
Corporation,

No. C 13-02460 RS

**CASE MANAGEMENT  
SCHEDULING ORDER**

Plaintiffs,

v.

OE SERVICES, LLC d/b/a OPEN ENGLISH  
LLC, a Florida Limited Liability Company,  
and DOES 1-50, inclusive,

Defendants.

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Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the parties attended a Case Management Conference on November 14, 2013. After considering the Joint Case Management Statement submitted by the parties and consulting with the attorneys of record for the parties and good cause appearing, IT IS HEREBY ORDERED THAT:

1. ALTERNATIVE DISPUTE RESOLUTION.

MEDIATION. The parties will seek to engage in private mediation in the next 120 days.

2. DISCOVERY.

On or before December 12, 2014, all non-expert discovery shall be completed by the parties. Discovery shall be limited as follows: (a) ten (10) non-expert depositions per party; (b)

1 twenty-five (25) interrogatories per party, including all discrete subparts; (c) a reasonable  
2 number of requests for production of documents or for inspection per party; and (d) a reasonable  
3 number of requests for admission per party.

4 3. DISCOVERY DISPUTES.

5 Discovery disputes will be referred to a Magistrate Judge. After the parties have met and  
6 conferred, the parties shall prepare a joint letter of not more than 8 pages explaining the dispute.  
7 Up to 12 pages of attachments may be added. The joint letter must be electronically filed under  
8 the Civil Events category of "Motions and Related Filings >Motions--General > Discovery  
9 Letter Brief." The Magistrate Judge to whom the matter is assigned will advise the parties of  
10 how that Judge intends to proceed. The Magistrate Judge may issue a ruling, order more formal  
11 briefing, or set a telephone conference or a hearing. After a Magistrate Judge has been assigned,  
12 all further discovery matters shall be filed pursuant to that Judge's procedures.

13 4. EXPERT WITNESSES. The disclosure and discovery of expert witnesses shall  
14 proceed as follows:

15 A. On or before November 11, 2014, parties will designate experts in accordance with  
16 Federal Rule of Civil Procedure 26(a)(2).

17 B. On or before November 25, 2014, parties will designate their supplemental and  
18 rebuttal experts in accordance with Federal Rule of Civil Procedure 26(a)(2).

19 C. On or before December 12, 2014, all discovery of expert witnesses pursuant to  
20 Federal Rule of Civil Procedure 26(b)(4) shall be completed.

21 5. FURTHER CASE MANAGEMENT CONFERENCE. A Further Case  
22 Management Conference shall be held on **December 18, 2014 at 10:00 a.m.** in Courtroom 3,  
23 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The  
24 parties shall file a Joint Case Management Statement at least one week prior to the Conference.

1           6.       PRETRIAL MOTIONS. All dispositive pretrial motions must be filed and served  
2 pursuant to Civil Local Rule 7. Each party is limited to one motion for summary judgment  
3 absent leave of Court. All pretrial motions shall be heard no later than **January 8, 2015**.

4           7.       PRETRIAL CONFERENCE. The final pretrial conference will be held on  
5 **February 12, 2015 at 10:00 a.m.**, in Courtroom 3, 17th Floor, United States Courthouse, 450  
6 Golden Gate Avenue, San Francisco, California. Each party or lead counsel who will try the  
7 case shall attend personally.

8           8.       TRIAL DATE. A jury trial shall commence on **March 9, 2015 at 9:00 a.m.**, in  
9 Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco,  
10 California.

11           IT IS SO ORDERED.

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13 DATED: November 14, 2013



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15 RICHARD SEEBORG  
16 United States District Judge  
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