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 ADAM VICTOR

20 UNITED STATES DISTRICT COURT  
 21 NORTHERN DISTRICT OF CALIFORNIA  
 22 SAN FRANCISCO DIVISION

23 ADAM VICTOR, individually and on  
 behalf of all other similarly situated,

24 Plaintiff,

25 vs.

26 R.C. BIGELOW, INC.,

27 Defendant

Case No. 3:13-CV-02976-WHO

**STIPULATION RE: PRE-TRIAL  
 SCHEDULE; ORDER**

Judge: Hon. William H. Orrick  
 Action Filed: June 27, 2013

1 Pursuant to Civil Local Rules and at the direction of the Court, Plaintiff Adam Victor, on  
2 behalf of himself and all others similarly situated (“Plaintiff”), and Defendant R.C. Bigelow, Inc.  
3 (“Bigelow”), through their undersigned counsel, hereby move and stipulate as follows:

4 WHEREAS, this action was filed in this Court on June 27, 2013;

5 WHEREAS, on January 15, 2014, Bigelow filed a Motion to Dismiss, or in the  
6 Alternative, Motion to Strike the Complaint;

7 WHEREAS, on February 19, 2014, the Court heard oral argument on Bigelow’s Motion,  
8 which ultimately was granted in part and denied in part, with leave to amend.

9 WHEREAS, on April 12, 2014, Plaintiff timely filed his Amended Class Action  
10 Complaint;

11 WHEREAS, on May 15, 2014 Bigelow filed a Motion to Dismiss the First Amended  
12 Complaint (“Motion”);

13 WHEREAS, on July 9, 2014 the Court heard oral argument on Bigelow’s Motion and at the  
14 hearing the Court stated that the Motion would be denied at least in part and requested that the  
15 parties provide the Court a proposed stipulated schedule as to how the case should proceed after the  
16 Court issues its Order on the pending Motion to Dismiss the Amended Complaint.

17 IT IS HEREBY STIPULATED AND AGREED by the parties, through their counsel as  
18 follows:

- 19
- 20 1. Discovery in the related Khasin v. R.C. Bigelow and Victor v. R.C. Bigelow cases  
21 shall open immediately upon the Court’s issuance of its Order on Bigelow’s Motion;
  - 22 2. The parties further stipulate and agree to the following pre-trial and trial schedule for  
23 the related Khasin v. R.C. Bigelow and Victor v. R.C. Bigelow cases, subject to the Court’s  
24 calendar:
- 25  
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28

1 Last Day to Amend Pleadings or Add Parties: August 29, 2014  
2 Opening Brief for Class Cert. and Expert Disclosures: February 13, 2015  
3 Opposition Brief and Rebuttal Expert Disclosures: April 13, 2015  
4 Reply Brief and Expert Discovery Cut-Off: May 29, 2015  
5 Class Certification Hearing: June 15, 2015  
6 Discovery Cut-off (Expert and Non-expert) September 18, 2015  
7 Dispositive Motions Heard by: November 18, 2015  
8 Pre-Trial Conference February 8, 2016  
9 Trial February 29, 2016

10 IT IS SO STIPULATED.

11 Dated: July 16, 2014

12 MILES D. SCULLY  
13 TIMOTHY K. BRANSON  
14 JONI M. BORZCIK  
15 GORDON & REES LLP  
16 Respectfully submitted,

17 /s/ Timothy K. Branson  
18 TIMOTHY K. BRANSON  
19 Attorneys for Defendant  
20 R.C. BIGELOW, INC.

21 Dated: July 16, 2014

22 PRATT & ASSOCIATES

23 /s/ Ben F. Pierce Gore  
24 BEN F. PIERCE GORE  
25 Attorneys for Plaintiff  
26 ADAM VICTOR

27 **ECF ATTESTATION**

28 I, Pierce Gore, am the ECF User whose ID and password are being used to file the  
following: STIPULATION RE: PRE-TRIAL SCHEDULE

In compliance with Civil Local Rule 5-1(i), I hereby attest that the signatories above have  
concurred in this filing.

Dated: July 16, 2014

By: /s/ Ben F. Pierce Gore  
BEN F. PIERCE GORE  
Attorney for Plaintiff

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**ORDER**

PURSUANT TO STIPULATION, **as modified below**, IT IS SO ORDERED.

Last Day to Amend Pleadings or Add Parties:	August 29, 2014
Opening Brief for Class Cert. and Expert Disclosures:	February 13, 2015
Opposition Brief and Rebuttal Expert Disclosures:	April 13, 2015
Reply Brief and Expert Discovery Cut-Off:	May 29, 2015
Class Certification Hearing:	<b>June 17, 2015</b>
Discovery Cut-off (Expert and Non-expert)	September 18, 2015
Dispositive Motions Heard by:	November 18, 2015
Pre-Trial Conference	<b>February 1, 2016</b>
Trial	February 29, 2016

DATED: July 17, 2014

By:



WILLIAM H. ORRICK  
United States District Judge