

For the Northern District of California

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

JOSHUA BANKO,

No. C 13-2977 RS

Plaintiff,

**CASE MANAGEMENT
SCHEDULING ORDER**

v.

APPLE, INC., DOES 1-50,

Defendants.

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the parties attended a Case Management Conference on December 12, 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. The parties agree to engage in private mediation in the next 120 days.

2. DISCOVERY.

On or before September 5, 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) twenty-five (25) interrogatories per party, including all discrete subparts; (c) a reasonable

1 number of requests for production of documents or for inspection per party; and (d) a reasonable
2 number of requests for admission per party.

3 3. DISCOVERY DISPUTES.

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

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

14 A. On or before July 31, 2014, parties will designate experts in accordance with Federal
15 Rule of Civil Procedure 26(a)(2).

16 B. On or before August 15, 2014, parties will designate their supplemental and rebuttal
17 experts in accordance with Federal Rule of Civil Procedure 26(a)(2).

18 C. On or before September 5, 2014, all discovery of expert witnesses pursuant to Federal
19 Rule of Civil Procedure 26(b)(4) shall be completed.

20 5. FURTHER CASE MANAGEMENT CONFERENCE. A Further Case
21 Management Conference shall be held on **September 11, 2014 at 10:00 a.m.** in Courtroom 3,
22 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The
23 parties shall file a Joint Case Management Statement at least one week prior to the Conference.

24 6. PRETRIAL MOTIONS. All dispositive pretrial motions must be filed and served
25 pursuant to Civil Local Rule 7. Each party is limited to one motion for summary judgment
26 absent leave of Court. All pretrial motions shall be heard no later than **October 30, 2014.**
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1 7. PRETRIAL CONFERENCE. The final pretrial conference will be held on **April**
2 **2, 2015 at 10:00 a.m.**, in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate
3 Avenue, San Francisco, California. Each party or lead counsel who will try the case shall attend
4 personally.

5 8. TRIAL DATE. A jury trial shall commence on **April 13, 2015 at 9:00 a.m.**, in
6 Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco,
7 California.

8 IT IS SO ORDERED.

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10 DATED: December 16, 2013



RICHARD SEEBORG
United States District Judge