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17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20 IN RE KOREAN RAMEN ANTITRUST
21 LITIGATION

22 Case No. 3:13-cv-04115-WHO

23 **STIPULATION AND ORDER TO
24 SHORTEN TIME FOR HEARING
25 ON VARIOUS MOTIONS [L.R. 6-2]**

26 Judge: Hon. William H. Orrick

27 This Document Relates to:

28 All Actions

1 **STIPULATION**

2 The Direct Purchaser Plaintiffs and Indirect Purchaser Plaintiffs (collectively, “Plaintiffs”) in
3 the above-captioned consolidated action (the “Action”), as well as all Defendants remaining in the
4 Action, by and through their respective counsel of record, stipulate as follows:

5 WHEREAS, on September 21, 2015, the Direct Purchaser Plaintiffs and Indirect Purchaser
6 Plaintiffs each submitted a Notice of Motion and Motion for Preliminary Approval of Class Action
7 Settlement with Defendant Samyang Foods Co., Ltd. (“SAMYANG”) along with accompanying
8 documents. [Dkt. Nos. 205, 207];

9 WHEREAS, the issue on the Motions is whether the proposed settlements are within the range
10 of possible approval such that they should be given further consideration and notice should be sent to
11 the classes. Neither Plaintiffs nor Samyang expect that the motions for preliminary approval of the
12 settlements will be opposed, except that the Nongshim and Ottogi Defendants will oppose the
13 Motions to the extent a stay of discovery as to Samyang is sought that any party may assert applies to
14 discovery from the Nongshim and Ottogi Defendants to Samyang as a party, propounded to Samyang
15 before any final judgment is entered as to Samyang. Samyang does not concede this interpretation of
16 the stay provision contained in the Settlement Agreements but will address this position in its reply to
17 any opposition(s) to the Motions;

18 WHEREAS, that same day, Samyang filed a motion for Settlement for Good Faith and Bar
19 Order. [Dkt. Nos 206] (this motion, along with the two motions for preliminary approval of settlement
20 are the “Motions”);

21 WHEREAS, pursuant to Local Rule 7-3, the schedule regarding the Motions is that (1) any
22 opposition is due on October 5, 2015, and (2) reply is due by October 12, 2015. The hearing on the
23 above Motions is scheduled for November 18, 2015 at 2:00 pm.; and

24 WHEREAS, the Settlement Agreement with Samyang provides for agreed-upon deposition
25 discovery with Samyang once the settlement with Samyang is preliminarily approved. See Settlement
26 Agreements at ¶ 21(b). Given that non-expert discovery closes on January 31, 2016, [Dkt No. 127],
27 Plaintiffs wish to begin depositions on Samyang employees as soon as possible to meet this discovery
28 deadline. If this hearing date is not moved up, Plaintiffs are concerned that it may complicate efforts

1 to complete discovery by the deadline.

2 NOW, THEREFORE, IT IS HEREBY STIPULATED, subject to approval of the Court, that:

3 1. The briefing schedule will remain in place, whereby opposition to the above Motions,
4 if any, is to be filed on or before October 5, 2015; and reply, if any, is due to be filed on October 12,
5 2015;

6 2. The hearing on the above Motions, originally scheduled for November 18, 2015, at
7 2:00 p.m., shall instead be heard on shortened time after the above-referenced briefing deadlines,
8 subject to the availability of the Court;

9 3. Samyang will respond to the discovery already propounded on September 18, 2015 by
10 the Nongshim and Ottogi Defendants, and Samyang will respond to the Nongshim and Ottogi
11 Defendants' deposition scheduling request under Local Rule 30-1 before October 5, 2015; and

12 4. All parties to this Stipulation will consult with each other in advance about proposed
13 deposition dates of Samyang employees or former employees.

14 IT IS SO STIPULATED.

15 DATED: September 29, 2015

16 /s/ Alan R. Plutzik

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38 DATED: September 29, 2015

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DATED: September 29, 2015

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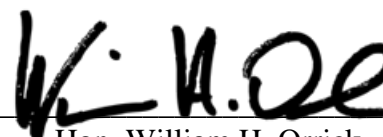
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ORDER

Pursuant to Stipulation, the Motions originally scheduled for hearing on November 18, 2015, at 2:00 p.m., are now scheduled to be heard on November 3, 2015, at 3:00 p.m., at the United States Courthouse, Courtroom 2, 17th Floor, 450 Golden Gate Avenue, San Francisco, CA 94102.

IT IS SO ORDERED.

DATED: September 29, 2015



Hon. William H. Orrick
United States District Judge