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14 **UNITED STATES DISTRICT COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**  
16 **SAN FRANCISCO DIVISION**

17 COLLEEN GALLAGHER, ILANA FARAR,  
ANDREA LOPEZ, JOANN CORDARO, and  
18 ROSANNE COSGROVE, on behalf of  
themselves and all others similarly situated,

19 Plaintiffs,

20  
21 v.

22 BAYER AG, BAYER CORPORATION, and  
23 BAYER HEALTHCARE LLC,

24 Defendants.  
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Case No. 14-cv-04601-WHO

**STIPULATION AND ORDER FOR  
FURTHER EXTENSION OF CASE  
DEADLINES**

1 Pursuant to Civil Local Rule 6-2, the parties stipulate to and jointly request a brief extension  
2 of case deadlines. A brief 30-day extension of deadlines is requested to provide Bayer with adequate  
3 time to depose the survey expert Plaintiffs disclosed on July 7, 2017 and prepare its reply brief.

4 **Procedural History and Prior Extensions.** An initial case management scheduling order  
5 was entered on October 16, 2014. Dkt. 5. By stipulation, the Court entered an amended case  
6 management scheduling order on December 22, 2014. Dkt. 38. Following an in person meet and  
7 confer, on December 11, 2015 the Court entered a revised briefing and discovery schedule. Dkt. 92.

8 During a discovery hearing on June 7, 2016, the Court extended the close of fact discovery  
9 from May 9, 2016 until July 9, 2016. Dkt. 115.

10 On July 8, 2016 the parties filed a stipulation and proposed order on discovery and  
11 scheduling. Dkt. 119. Pursuant to the stipulation, the Court extended the discovery schedule which  
12 included extending the close of fact discovery from July 9, 2016 to September 9, 2016. Dkt. 120.

13 On September 6, 2016, Bayer filed a motion for extension of case deadlines to complete  
14 discovery which Plaintiffs did not oppose. Dkt. 124. The Court granted the motion and extended all  
15 case deadlines by 60 days. Dkt. 125.

16 On February 1, 2017, the parties filed a joint stipulation for further extension of the case  
17 deadlines to permit Bayer to depose Plaintiff's expert witness Dr. Blonz on March 8, who was  
18 unavailable before that date, and have adequate time to prepare its response brief. The Court granted  
19 the motion for extension of case deadlines and moved the Class Certification Response deadline  
20 from March 13, to March 24, 2017, the Class Certification Reply from April 27, to May 10, 2017  
21 and the Class Certification Hearing from May 17, to May 30, 2017.

22 On April 7, 2017, the parties filed a joint stipulation for further extension of the case  
23 deadlines. The parties requested the extension to allow Plaintiffs time to depose both of Bayer's  
24 expert witnesses, Dr. Blumberg and Dr. Kivetz, who were available for deposition April 14 and May  
25 12 respectively, and time to prepare its responses to Bayer's opposition to Plaintiffs' Motion for  
26 Class Certification and Bayer's Motion for Summary Judgement. The Court granted the motion and  
27 moved the date for Plaintiffs' Summary Judgment Response from April 7, 2017 to July 7, 2017,  
28

1 Plaintiffs' Class Certification Reply from May 10, 2017 to July 7, 2017, Defendant's Summary  
2 Judgment Reply from April 14, 2017 to August 7, 2017, and the hearing on both motions from May  
3 31, 2017 to August 23, 2017. Dkt. 139.

4 **Scheduling of Expert Deposition.**

5 On July 7, 2017, with their Class Certification Reply and Opposition to Defendants' Motion  
6 for Summary Judgment, Plaintiffs' disclosed an additional expert witness, Dr. Jonathan Hibbard.  
7 Bayer is seeking to depose Dr. Hibbard, who is available for deposition on August 1, 2017.  
8 Currently, the date for Bayer's response to Plaintiffs' opposition to Bayer's Motion for Summary  
9 Judgment is August 7, 2017. Additionally, lead counsel for Bayer has numerous hearings and  
10 briefs due between the current date and August 7. A brief 30-day extension of deadlines is requested  
11 to provide Bayer with adequate time to depose Dr. Hibbard and prepare its reply brief.

12 **Requested Extension.** The parties respectfully request that the Court extend the following  
13 case deadlines as follows:

14

<b><u>Deadline</u></b>	<b><u>Current Date</u></b>	<b><u>Requested Date</u></b>
Summary Judgment Reply	August 7, 2017	September 6, 2017
Class Certification and Summary Judgment Hearing	August 23, 2017	September 22, 2017
This request does not impact any other deadlines in the case.		

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1 Dated: July 11, 2017

2 STANLEY LAW GROUP

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Dated: July 11, 2017

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**SIGNATURE ATTESTATION**

I am the ECF User whose identification and password are being used to file the foregoing Stipulation and Proposed Order for Further Extension of Case Deadlines. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that the signatory has concurred in this filing.

Dated: July 11, 2017

SIDLEY AUSTIN LLP

By:

*/s/ Ryan Sandrock*

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Ryan Sandrock

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**PURSUANT TO STIPULATION, IT IS ORDERED:**

- The Summary Judgment Reply deadline is extended from August 7, 2017 to September 6, 2017.
- The Class Certification and Summary Judgment hearing is continued from August 23, 2017 to September 22, 2017 or later.

Dated: July 13, 2017

  
The Honorable William H. Orrick  
United States District Judge