

1 RAOUL D. KENNEDY (Bar No. 40892)
 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
 2 525 University Avenue, Suite 1400
 Palo Alto, California 94301
 3 Telephone: (650) 470-4500
 Facsimile: (650) 470-4570
 4 Email: raoul.kennedy@skadden.com

5 JEFFREY A. MISHKIN (admitted pro hac vice)
 ANTHONY J. DREYER (admitted pro hac vice)
 6 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
 Four Times Square
 7 New York, NY 10036
 Telephone: (212) 735-3000
 8 Facsimile: (917) 777-2000
 Email: jeffrey.mishkin@skadden.com
 9 Email: anthony.dreyer@skadden.com

10 Attorneys for Defendant
 11 PGA TOUR, Inc.

12
 13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO DIVISION**

16 WILLIAM MICHAEL HICKS and
 KENNETH HARMS, as Class Representative
 17 Plaintiffs, et al.

18 Plaintiffs,

19 v.

20 PGA TOUR, INC.

21 Defendants.
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CASE NO. 3:15-cv-00489-VC

**STIPULATION AND ~~PROPOSED~~
 ORDER**

1 Plaintiffs William Michael Hicks and Kenneth Harms, as Class Representative Plaintiffs, et
2 al. (collectively, the “Plaintiffs”) and Defendant PGA TOUR, INC. (the “TOUR”), through their
3 respective counsel, hereby stipulate and agree as follows:

4 WHEREAS, this Court entered an order on February 20, 2015 stipulating the parties’
5 agreements with respect to certain scheduling matters in this action (Dkt. 17);

6 WHEREAS, the TOUR moved to transfer venue in this action to the Middle District of
7 Florida on March 5, 2015 (the “Motion”) (Dkt. 25);

8 WHEREAS, Plaintiffs filed a First Amended Complaint on March 16, 2015 (Dkt. 28);

9 WHEREAS, in connection with the Motion, Plaintiffs have served on the TOUR
10 interrogatories, requests for production, and deposition notices;

11 IT IS HEREBY STIPULATED AND AGREED that, pursuant to Civil Local Rule 6-1:

12 1. The TOUR will file any supplemental papers to its Motion to address the new
13 factual allegations and new parties set forth in the First Amended Complaint on or before April 8,
14 2015;

15 2. The TOUR will serve Plaintiffs with their responses and objections to Plaintiffs’
16 interrogatories, requests for production, and deposition notices on or before April 8, 2015;

17 3. The parties will confer no later than April 13, 2015 regarding any objections or
18 disputes in connection with Plaintiffs’ discovery requests;

19 4. In the event that the parties are able to resolve all discovery disputes through the
20 meet-and-confer process:

21 (a) the TOUR shall produce its answers to interrogatories and document
22 production by May 13, 2015;

23 (b) depositions in connection with the Motion shall be completed by June 5,
24 2015;

25 (c) Plaintiffs’ brief in opposition to the Motion shall be due on June 15, 2015;

26 (d) the TOUR’s reply brief shall be due on June 29, 2015; and

27 (e) the hearing date for the Motion shall be July 16, 2015, or as soon thereafter
28 as the parties may be heard.

1 5. In the event that there are outstanding discovery disputes that require the Court's
2 resolution:

- 3 (a) pursuant to ¶ 14 of the Court's Standing Order for Civil Cases, the parties
4 shall submit a joint letter to the Court stating the nature and status of their
5 (b) Plaintiffs shall serve their portion of the joint letter upon the TOUR by April
6 (c) the TOUR shall serve its portion of the joint letter upon Plaintiffs by May 1,
7 (d) the parties shall file the joint letter on or before May 4, 2014;
8 (e) the TOUR will produce its answers to interrogatories and document
9 (f) depositions in connection with the Motion shall be completed within 21 days
10 (g) Plaintiffs shall file their brief in opposition to the Motion within 10 days
11 (h) the TOUR's reply brief shall be due within 14 days after the filing of
12 (i) the hearing date for the Motion shall be on a Thursday no less than 14 days
13 after the filing of Plaintiffs' reply brief;
14 after the completion of depositions;
15 after the completion of document production;
16 after the completion of depositions;

17 6. The TOUR will answer, move, or otherwise plead in response to the Complaint
18 within 30 days of the entry of an order on the motion to transfer venue; and

19 7. In light of the pending Motion, the Case Management Conference and all related
20 deadlines (including the deadlines for the Case Management Statement and ADR Certification) are
21 vacated.

22 IT IS FURTHER STIPULATED AND AGREED that this Stipulation does not constitute a
23 waiver of any other defense including, but not limited to, the defenses of lack of personal or subject
24 matter jurisdiction or improper venue.

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1 DATED: April 7, 2015

2 SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP

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4 By: /s/ Raoul D. Kennedy
5 **RAOUL D. KENNEDY**
6 JEFFREY A. MISHKIN (admitted pro hac vice)
7 ANTHONY J. DREYER (admitted pro hac vice)
8 Attorneys for Defendant
9 PGA TOUR, INC.

9 DATED: April 7, 2015

10 THE LANIER LAW FIRM, P.C.

11 By: /s/ Lee Cirsch
12 **LEE CIRSCH**
13 W. MARK LANIER (admitted pro hac vice)
14 EUGENE R. EGDORF (admitted pro hac vice)
15 BENJAMIN T. MAJOR (admitted pro hac vice)
16 RYAN D. ELLIS (admitted pro hac vice)
17 ARTHUR R. MILLER (admitted pro hac vice)
18 Attorneys for Plaintiffs William Michael Hicks and
19 Kenneth Harms, as Class Representative Plaintiffs, et al.

19 **ECF ATTESTATION**

20 Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in
21 the filing of this document has been obtained from each of the other signatories above.


22 /s/ Raoul D. Kennedy

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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: April 8, 2015



The Honorable Vince Chhabria
United States District Court Judge