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Attorneys for Defendants
DIRECTV and DIRECTV, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

DIRECTV, a corporation,

and

DIRECTV, LLC, a limited liability
company,

Defendants.

Case No. 3:15-cv-01129 HSG

Assigned to the Hon. Haywood S. Gilliam, Jr.

**JOINT STIPULATION TO EXTEND TIME
FOR REBUTTAL AND REPLY EXPERT
REPORTS AND EXPERT DISCOVERY**

1 Plaintiff Federal Trade Commission (“FTC”) and Defendants DIRECTV and DIRECTV,
2 LLC (DIRECTV) jointly stipulate, pursuant to Civil Local Rules 6-1(b), 6-2 and 7-12, to extend the
3 time for expert rebuttal and reply reports and for the close of expert discovery.

4 On September 16, 2016, both sides served their opening expert reports; the FTC served five
5 expert reports and DIRECTV served three expert reports. As currently scheduled, the deadline for
6 (i) expert rebuttal reports is October 13, 2016; (ii) expert reply reports is November 4, 2016; and (iii)
7 the close of expert discovery is November 23, 2016 (Dkt. 159).

8 There are a number of experts and the expert reports are voluminous, and, therefore, the
9 number of depositions that need to be taken is high. Both sides therefore would benefit from more
10 time to prepare rebuttal and reply reports and more flexibility in scheduling the depositions of these
11 experts. In addition, experts and counsel are also confronting scheduling difficulties in the month of
12 October due to the upcoming Jewish High Holidays of Rosh Hashanah, beginning on the evening of
13 October 2 and continuing to the evening of October 4, and Yom Kippur, beginning on the evening of
14 October 11 and continuing to the evening of October 12.

15 The parties have conferred with each other and their experts about scheduling and have
16 arrived at an agreement satisfactory to all. The proposed modification to the schedule would have
17 no effect on any other deadlines in this case.

18 There have been the following modifications to the schedule in this case: (a) Dkt. No. 23,
19 April 17, 2015 (granting stipulated request for an extension of time for the FTC to file motion to
20 strike Defendants’ affirmative defenses); (b) Dkt. No. 64, October 21, 2015 (granting motion for
21 extension of time for the FTC to respond to DIRECTV’s motion for partial summary judgment); (c)
22 Dkt. No. 87, December 9, 2015 (granting joint stipulation to extend DIRECTV’s time to file its reply
23 brief in support of its motion for partial summary judgment, and continuing hearing date on motion
24 for partial summary judgment); (d) Dkt. No. 99, February 4, 2016 (granting stipulation continuing
25 hearing date on motion for partial summary judgment); (e) Dkt. No. 105 (granting stipulation
26 continuing Case Management Conference); (f) Dkt. No. 138, April 12, 2016 (granting stipulation to
27 extend case deadlines, including fact and expert discovery, summary judgment briefing deadlines
28 and hearing date, and trial date); (g) Dkt. No. 159, July 19, 2016 (granting stipulation to extend case

1 deadlines, including fact and expert discovery); and (h) Dkt. 181, September 26, 2016 (granting
2 motion to extend time to file declaration in support of motion to file under seal).

3 NOW THEREFORE, the parties, through the undersigned counsel, hereby stipulate to and
4 respectfully request the court enter the following schedule:

5

<u>Event</u>	<u>Current Date</u>	<u>Proposed Date</u>
6 Rebuttal Reports	October 13, 2016	October 21, 2016
7 Reply Reports	November 4, 2016	November 14, 2016
8 Expert Discovery Close	November 23, 2016	December 2, 2016

9

10 Dated: September 27, 2016

SIDLEY AUSTIN

11 By: /s/ Chad S. Hummel
12 Chad S. Hummel
13 Attorneys for Defendants
DIRECTV and DIRECTV, LLC

FEDERAL TRADE COMMISSION

14 By: /s/ Eric D. Edmondson
15 Eric D. Edmondson
16 Attorneys for Plaintiff
Federal Trade Commission

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

19 By: /s/ Chad S. Hummel
20

21 **ORDER**

22
23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24 Dated: September 28, 2016

25 
26 HON. HAYWOOD S. GILLIAM, JR.
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