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 UBER TECHNOLOGIES, INC.; RASIER, LLC;  
 15 RASIER-CA, LLC

16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18

19 STEWART ROSEN, on Behalf of Himself  
 and All Others Similarly Situated, and as  
 20 Private Attorney General,

21 Plaintiffs,

22 vs.

23 UBER TECHNOLOGIES, INC., a  
 Delaware corporation; RASIER, LLC, a  
 24 Delaware limited liability company;  
 RASIER-CA, LLC, a Delaware limited  
 25 liability company; and DOES 1 to 100,  
 inclusive,

26 Defendants.  
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Case No. 15-cv-03866-JST

ASSIGNED FOR ALL PURPOSES TO  
 Judge Jon S. Tigar

STIPULATION FOR ORDER  
 REGARDING LIMITED  
 MODIFICATIONS TO SCHEDULING  
 ORDER IN ROSEN ACTION

1 The parties to this action, by and through their attorneys of record, stipulate as  
2 follows:

3 1. As this case approaches the discovery cutoff date of November 11, 2016, the  
4 parties have encountered multiple scheduling and logistical issues, as well as  
5 disagreements, regarding discovery that the parties have served in this action. All parties  
6 have engaged in multiple earnest meet-and-confer letters and discussions in a good faith  
7 effort in an attempt to resolve those issues. As a result of those meet-and-confer efforts,  
8 the parties have agreed to the limited modifications to the Court's Consolidated Joint Case  
9 Management Schedule (Docket No. 34) set forth in this Stipulation, and request the Court's  
10 order approving those modifications. None of these changes affects the Court's calendar as  
11 previously ordered.

12 2. This case has been consolidated for pretrial purposes with *LA Taxi*  
13 *Cooperative Inc. dba Yellow Cab Co., et al. v. Uber Technologies, Inc. et al.* The  
14 following stipulations apply only to the *Rosen* action, and do not affect the calendar or the  
15 Court's order regarding scheduling in the *LA Taxi* case. The parties note that several of the  
16 modifications set forth in the stipulation arise from the fact that *Rosen* is pled as a putative  
17 class action, whereas *LA Taxi* is not.

18 3. The parties agree to the following pretrial calendar in *Rosen*. The parties  
19 note that the amendments in the calendar affect only the parties' deadlines, and do not  
20 affect the timing or contents of any of the documents to be submitted to the Court or  
21 hearings to be conducted by the Court.

Event	Current Deadline	Stipulated Deadline
Fact discovery cut-off	11/11/2016	11/11/2016 cutoff remains as to all issues other than class certification discovery, or as stipulated herein.

Event	Current Deadline	Stipulated Deadline
Designation and opening reports of experts	11/18/2016	11/18/2016 remains as to all affirmative experts, except Plaintiff's designation and report of affirmative class certification expert shall be served on or before 11/25/2016.
Rebuttal expert designations and reports	1/13/2017	1/13/2017 remains as to all rebuttal experts, except as to Defendants' experts on class certification issues
Deadline to file motion for class certification	2/16/2017	1/30/2017
Expert discovery cut-off	2/10/2017	2/10/2017 remains as to all experts, except as to class certification experts.
Defendant Class Expert Designations and Reports	N/A	2/17/2017
Opposition to class certification motion	3/16/2017	3/16/2017
Reply to class certification	3/30/2017	3/30/2017
Hearing on Class certification	4/13/2017	4/13/2017
Deadline to file dispositive motions	4/27/2017	4/27/2017
Opposition to dispositive motions	5/15/2017	5/15/2017

Event	Current Deadline	Stipulated Deadline
Reply to dispositive motions	5/25/2017	5/25/2017
Hearing on dispositive motions	6/8/2017	6/8/2017
CMC to discuss trial plan	6/21/2017	6/21/2017

4. Regarding Plaintiff's Notices of Depositions and Requests for Production of Documents to Defendants pursuant to FRCP 30(b)(6) noticed for November 7, 8, and 9, the parties agree (a) Defendants will produce financial data in response to Plaintiff's discovery seeking such data on or before November 11, 2016; (b) to further meet and confer regarding the deposition dates; (c) the November 11, 2016 discovery cutoff for non-class discovery shall not apply to these Deposition Notices and Requests for Production of Documents; and (d) the parties' deadline for disclosure and report of affirmative financial experts shall be December 23, 2016.

5. Regarding the deposition and document subpoena to Yellow Cab Cooperative served by Defendants, the parties agree to meet and confer, including with Gary Kaplan, attorney for Yellow Cab Cooperative, to set the deposition date. The parties agree that Defendants' deposition subpoena to Yellow Cab Cooperative shall not be subject to the November 11, 2016 discovery cutoff for non-class discovery.

6. Regarding Defendants' subpoenas to absent putative class members (SFMTA Taxi Medallion Holders), Defendants agree to notify recipients of deposition subpoenas that the depositions are postponed, subject to rescheduling, and to notify recipients of document subpoenas that the compliance date for such subpoenas is postponed, subject to rescheduling. Defendants further agree to seek a prior order of the Court before further enforcing such subpoenas, and to provide copies to Plaintiff of any documents produced by

1 any medallion holder despite the foregoing agreements. The parties agree that such  
2 discovery to medallion holders is class certification discovery and is therefore not subject  
3 to the November 11, 2016 non-class discovery cutoff.

4 7. Regarding Defendants' deposition notice of, and written discovery to,  
5 Plaintiff Stuart Rosen, the parties agree to further meet and confer as to an agreeable date  
6 for that deposition, agree that Rosen's written discovery responses shall be served no later  
7 than November 17, 2016, and agree that that deposition and Rosen's written discovery  
8 responses, and Defendants' right to move to compel, are not subject to the November 11  
9 non-class discovery cutoff. The parties agree that all Defendants' rights and objections  
10 regarding Rosen's written discovery responses are preserved.

11 8. The parties to this action agree that the November 18, 2016 deadline for  
12 discovery motions under Local Rule 37-3 shall not apply to Defendants' pending  
13 subpoenas to third parties.

14 9. No party may designate or use evidence from a new expert not previously  
15 designated on rebuttal on class certification issues without a prior court order based on a  
16 showing of good cause.

17 Dated: November 11, 2016

LAW OFFICES OF HAROLD M. JAFFE

19 By: /s/ Harold M. Jaffe

HAROLD M. JAFFE  
Attorneys for Plaintiff  
STEWART ROSEN

22 Dated: November 11, 2016

LAW OFFICES OF BRIAN W. NEWCOMB

24 By: /s/ Brian W. Newcomb

BRIAN W. NEWCOMB  
Attorneys for Plaintiff  
STEWART ROSEN

1 Dated: November 11, 2016

ALLEN MATKINS LECK GAMBLE  
MALLORY & NATSIS LLP

By: /s/ Marshall C. Wallace

MARSHALL C. WALLACE  
Attorneys for Defendants  
UBER TECHNOLOGIES, INC.;  
RASIER, LLC; RASIER-CA, LLC

IT IS SO ORDERED.

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6  
7 Dated: November 14, 2016

  
HONORABLE JON S. TIGAR  
UNITED STATES DISTRICT COURT