

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP
 2 Shon Morgan (Bar No. 187736)
 3 (shonmorgan@quinnemanuel.com)
 4 Duane Lyons (Bar No, 125091)
 5 (duanelyons@quinnemanuel.com)
 6 Joseph C. Sarles (Bar No. 254750)
 7 (josephsarles@quinnemanuel.com)
 8 John W. Baumann (Bar No. 288881)
 9 (jackbaumann@quinnemanuel.com)
 10 865 South Figueroa Street, 10th Floor
 11 Los Angeles, California 90017-2543
 12 Telephone: (213) 443-3000
 13 Facsimile: (213) 443-3100

14 Attorneys for Defendant Home Depot U.S.A.,
 15 Inc.

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

18 JOHN UTNE, on behalf of himself, all others
 19 similarly situated, and the general public;
 20
 21 Plaintiff,
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 23 vs.
 24 HOME DEPOT U.S.A., INC., a Delaware
 25 Corporation; and DOES 1-50, inclusive,
 26
 27 Defendants.

CASE No. 3:16-cv-01854-RS

**JOINT STIPULATION AND ORDER RE
 PRE-TRIAL SCHEDULE AND TRIAL
 DATE AS MODIFIED BY THE COURT**

Action Filed: March 8, 2016

JOINT STIPULATION

This Joint Stipulation to extend expert deadlines, defendant’s decertification motion briefing deadlines, pretrial conference and trial date is made by and between plaintiff John Utne and defendant Home Depot U.S.A., Inc., through their respective counsel of record:

1. On February 26, 2020, the parties stipulated to a schedule to ensure sufficient access to expert discovery before briefing defendant’s decertification motion. ECF No. 187. The Court entered an Order amending the schedule on February 27, 2020. ECF No. 188.

2. The parties have been working diligently to prepare rebuttal reports and to complete expert discovery. However, in light of the coronavirus pandemic and restrictions on travel and in-person, group meetings, the parties have conferred and agreed adjustments to the schedule are warranted, particularly because many experts must travel by air for depositions and the age of certain experts and counsel increases susceptibility to the virus.

3. Because much of the expert discovery relates to defendant’s pending motion for decertification, the parties also believe it is appropriate to continue the briefing schedule and hearing date for that motion. Further, defendant’s decertification motion might impact the parties’ preparation for the pretrial conference and trial, thus the parties believe it is necessary to continue those dates.

4. The parties respectfully request the Court adopt the following proposed revised case schedule:

Event	Current Date	Proposed Date
Rebuttal and Supplemental Expert Designation Deadline	March 16, 2020	April 30, 2020
Deadline for Depositions of the Parties’ Currently-Designated Experts	March 31, 2020	June 1, 2020
Completion of Expert Discovery	April 13, 2020	June 15, 2020
Plaintiff’s Opposition to Defendant’s Decertification Motion Deadline	April 14, 2020	June 30, 2020
Defendant’s Reply ISO Defendant’s Decertification Motion Deadline	May 12, 2020	July 30, 2020

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2	Last Day for Hearing Pretrial Motions	May 28, 2020 at 1:30 p.m.	August 13, 2020 (or the earliest date thereafter available to the Court and agreed upon by both sides)
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6	Hearing Date for Defendant's Decertification Motion	May 28, 2020 at 1:30 p.m.	August 13, 2020 (or the earliest date thereafter available to the Court and agreed upon by both sides)
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10	Pretrial Conference	September 23, 2020, 10:00 a.m.	November 18, 2020, 10:30 a.m.
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12	Trial Date	October 13, 2020	December 8, 2020

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14 5. To date, the following deadlines in this action have been modified: Stipulation to

15 Continue Initial Case Management Conference and Order granting same (ECF Nos. 17 and 18);

16 Stipulation to Continue Class Certification Briefing and Hearing and Order granting same (ECF

17 Nos. 35 ad 36); Stipulation to Continue Briefing and Hearing and Order granting same (ECF Nos.

18 110 and 111); Defendant's Motion to Enlarge Time to Oppose Plaintiff's Motion for Partial

19 Summary Judgment and Order granting same (ECF Nos. 122 and 124); Stipulation to Extend

20 Plaintiff's Deadline to Oppose Motion for Partial Summary Judgment and Order Granting Same

21 (ECF No. 130); Stipulation to Extend Expert Deadlines, Defendant's Decertification Motion

22 Deadline, Pretrial Conference and Trial Date (ECF No. 144); Stipulation to Extend Expert

23 Deadlines, Decertification Motion Deadline, Pretrial Conference and Trial Date (ECF No. 151);

24 Stipulation to Set Briefing Schedule and Hearing Date for Defendant's Motion to Decertify (ECF

25 No. 155); Stipulation to Extend Expert Deadlines, Defendant's Decertification Motion Briefing

26 Deadlines, Pretrial Conference and Trial Date (ECF No. 180); and Stipulation to Extend Expert

27 Deadlines, Defendant's Decertification Motion Briefing Deadlines, and Hearing on Motion to

28 Decertify (ECF No. 187).

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IT IS SO STIPULATED.

DATED: March 16, 2020

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By /s/ Shon Morgan
Shon Morgan
Attorneys for Defendant Home Depot U.S.A., Inc.

DATED: March 16, 2020

SETAREH LAW GROUP

By /s/ Shaun Setareh
Shaun Setareh
Attorneys for Plaintiff John Utne and the Class

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

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ORDER [AS MODIFIED BY THE COURT]

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the following

deadlines and hearing date are entered:

Event	Date
Rebuttal and Supplemental Expert Designation Deadline	April 30, 2020
Deadline for Depositions of the Parties' Currently-Designated Experts	June 1, 2020
Completion of Expert Discovery	June 15, 2020
Plaintiff's Opposition to Defendant's Decertification Motion Deadline	June 30, 2020
Defendant's Reply ISO Defendant's Decertification Motion Deadline	July 30, 2020
Last Day for Hearing Pretrial Motions	August 13, 2020
Hearing Date for Defendant's Decertification Motion	August 13, 2020
Pretrial Conference	November 18, 2020, 10:00 a.m.
Trial Date	December 7, 2020

Dated: 3/17/2020



Honorable Richard Seeborg
United States District Judge