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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN UTNE, on behalf of himself, all others
similarly situated, and the general public;

Plaintiff,

vs.

HOME DEPOT U.S.A., INC., a Delaware
Corporation; and DOES 1-50, inclusive,

Defendants.

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

**JOINT STIPULATION AND ORDER RE
PRE-TRIAL SCHEDULE AND TRIAL
DATE**

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 September 21, 2020, the parties stipulated to a schedule to ensure sufficient access to expert discovery before briefing defendant's decertification motion. The Court entered an Order amending the schedule on September 23, 2020. ECF No. 207.

2. The parties have been working diligently to complete expert discovery.

3. Plaintiff has continued concerns regarding the completeness of Home Depot's document productions and questions regarding the same. Home Depot disputes the purported issues plaintiff has raised with respect to the productions. In light of these developments, the parties have conferred and agreed it would assist the Court and the parties to allow the parties and their experts additional time to work through these issues. The Parties have also agreed to continue to meet and confer to address these issues, involving the experts if and as necessary.

4. 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.

5. Accordingly, the parties respectfully request the Court adopt the following proposed revised case schedule:

Event	Current Date	Proposed Date
Rebuttal Expert Designation Deadline	Completed	Completed
Deadline for Supplemental Expert Reports of Dr. Jon A. Krosnick and Mr. Robert Crandall	November 30, 2020	February 1, 2021
Deadline for Depositions of the Parties' Currently-Designated Experts	December 31, 2020	March 1, 2021
Completion of Expert Discovery	December 31, 2020	March 1, 2021

1	Plaintiff's Opposition to Defendant's Decertification Motion Deadline	February 1, 2021	April 5, 2021
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3	Defendant's Reply ISO Defendant's Decertification Motion Deadline	February 22, 2021	April 26, 2021
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5	Last Day for Hearing Pretrial Motions	March 4, 2021 (or the earliest date thereafter available to the Court and agreed upon by both sides)	May 6, 2021 (or the earliest date thereafter available to the Court and agreed upon by both sides)
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9	Hearing Date for Defendant's Decertification Motion	March 4, 2021 (or the earliest date thereafter available to the Court and agreed upon by both sides)	May 6, 2021 (or the earliest date thereafter available to the Court and agreed upon by both sides)
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13	Pretrial Conference	May 5, 2021, at 10:30 a.m.	August 4, 2021 at 10:30 a.m.
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15	Trial Date	May 24, 2021	August 23, 2021

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

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

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

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

21 110 and 111); Defendant's Motion to Enlarge Time to Oppose Plaintiff's Motion for Partial

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

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

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

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

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

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

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

1 Deadlines, Pretrial Conference and Trial Date (ECF No. 180); and Stipulation to Extend Expert
2 Deadlines, Defendant’s Decertification Motion Briefing Deadlines, and Hearing on Motion to
3 Decertify (ECF No. 187); Stipulation and Order re: Pre-Trial Schedule and Trial Date (ECF No.
4 189); Stipulation and Order re: Pre-Trial Schedule and Trial Date (ECF No. 193); Stipulation and
5 Order re: Pre-Trial Schedule and Trial Date (ECF No. 205); Stipulation and Order re: Pre-Trial
6 Schedule and Trial Date (ECF No. 207).

7 IT IS SO STIPULATED.

8 DATED: November 17, 2020

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

9
10 By /s/ Shon Morgan
11 Shon Morgan
12 Attorneys for Defendant Home Depot U.S.A., Inc.

13 DATED: November 17, 2020

MARLIN & SALTZMAN
SETAREH LAW GROUP

14
15 By /s/ Stan Saltzman
16 Stan Saltzman
17 Attorneys for Plaintiff John Utne and the Class

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

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ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the following deadlines and hearing date are entered:

<u>Event</u>	<u>Date</u>
Rebuttal Expert Designation Deadline	Completed
Deadline for Supplemental Expert Reports of Dr. Jon A. Krosnick and Mr. Robert Crandall	February 1, 2021
Deadline for Depositions of the Parties' Currently-Designated Experts	March 1, 2021
Completion of Expert Discovery	March 1, 2021
Plaintiff's Opposition to Defendant's Decertification Motion Deadline	April 5, 2021
Defendant's Reply ISO Defendant's Decertification Motion Deadline	April 26, 2021
Last Day for Hearing Pretrial Motions	May 6, 2021
Hearing Date for Defendant's Decertification Motion	May 6, 2021
Pretrial Conference	August 11, 2021 at 10:00 a.m.
Trial Date	August 23, 2021

Dated: November 18, 2020



Honorable Richard Seeborg
United States District Judge