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8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

13 SECURITIES AND EXCHANGE COMMISSION,

14 Plaintiff,

15 v.

16 ERIK K. BARDMAN and
 17 JENNIFER F. WOLF,

18 Defendants.

**STIPULATION AND ~~PROPOSED~~
 ORDER EXTENDING DISCOVERY
 DEADLINES AND INCREASING
 NUMBER OF DEPOSITIONS**

Case No. 3:16-cv-02023 (JST)

Judge: Hon. Jon S. Tigar

1 WHEREAS, on November 14, 2016, the Court entered a Scheduling Order setting a
2 September 17, 2018 trial date and various pre-trial deadlines (Dkt. No. 37);

3 WHEREAS, on September 6, 2017, pursuant to the request of the Parties, the Court
4 entered a Stipulation and Order Extending Discovery Deadlines, providing that fact discovery be
5 completed by January 15, 2018; that expert disclosures take place by February 1, 2018; that expert
6 rebuttals be exchanged by March 1, 2018, and that expert discovery be completed by April 1, 2018,
7 and that all other dates set by the Court in the Scheduling Order, including motion and trial dates,
8 remain unchanged (Dkt. No. 72);

9 WHEREAS, plaintiff Securities and Exchange Commission (“Plaintiff”) and
10 defendants Erik K. Bardman and Jennifer F. Wolf (“Defendants” and, together with Plaintiff, the
11 “Parties”) have been diligently pursuing various forms of discovery, including requests for
12 documents and depositions;

13 WHEREAS, almost all of the discovery being pursued by the Parties is third-party
14 discovery. The Parties have worked cooperatively, both with each other and with third parties
15 (including Logitech International S.A., Google, Inc., and PricewaterhouseCoopers LLP), and thus
16 far have successfully avoided any motion practice with respect to discovery. The production of
17 documents from third parties and setting of third party depositions, however, has taken longer than
18 previously anticipated;

19 WHEREAS, after meeting and conferring the Parties mutually agree, subject to the
20 Court’s permission, that additional time to complete fact and expert discovery is necessary. The
21 Parties therefore request an extension of the fact and expert discovery cut-off dates as described
22 below, once again leaving all other dates set by the Court, including those for motions and trial,
23 unchanged;

24 WHEREAS, the Parties believe that they may exceed the maximum of ten
25 depositions per side, primarily because the Parties have cooperatively cross-noticed the depositions
26 taken in this action and this practice will likely continue. As a result, the Parties agree to increase
27 the maximum number of depositions to be taken to 15 per side;

1 IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for
2 Plaintiff and the attorneys for Defendants, with the Court's permission, as follows:

3 1. The fact discovery cut-off be extended from January 15, 2018 to February 15,
4 2018; the expert disclosures deadline be extended from February 1, 2018 to March 1, 2018; the
5 expert rebuttal deadline be extended from March 1, 2018 to March 30, 2018, and the expert
6 discovery cut-off be extended from April 1, 2018 to May 1, 2018.

7 2. All other dates and deadlines in the Scheduling Order, including the May 15,
8 2018 deadline for dispositive motions and the September 17, 2018 trial date, remain unchanged.

9 3. Plaintiff, on the one hand, and Defendants Bardman and Wolf together, on
10 the other hand, shall each be permitted a maximum of fifteen depositions.

11 Dated: December 4, 2017

SECURITIES AND EXCHANGE COMMISSION

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22 Dated: December 4, 2017

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