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

11  
 12 SECURITIES AND EXCHANGE COMMISSION,

13 Plaintiff,

14 v.

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

17 Defendants.

18 **STIPULATION AND ~~PROPOSED~~**  
**ORDER LIFTING DISCOVERY**  
**DEADLINES FOR CERTAIN**  
**DEPOSITIONS**

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

20 Judge: Hon. Jon S. Tigar

1 WHEREAS, with the assistance of Magistrate Judge Corley, the Securities and  
2 Exchange Commission Division of Enforcement (“SEC”) and Defendant Erik Bardman have  
3 reached a settlement agreement in principle, and signed a term sheet outlining settlement terms (the  
4 “Bardman Settlement Agreement”) (Dkt. No. 79);

5 WHEREAS, the close of fact discovery is currently set for February 15, 2018  
6 (Dkt. No. 75);

7 WHEREAS, the SEC and defendants Erik K. Bardman and Jennifer F. Wolf  
8 (“Defendants” and, together with the SEC, the “Parties”) have been diligently pursuing various  
9 forms of discovery, including requests for documents and depositions;

10 WHEREAS, as a result of the Bardman Settlement Agreement, the Parties have  
11 agreed to take certain depositions off calendar, specifically the depositions of Mr. Bardman, Jeffrey  
12 Shotts, Barbara McKee, Joseph Greenhalgh, Abhishek Maheshwari, Werner Heid, Michael Culver,  
13 Didier Hirsch, and Guerrino De Luca (the “Off-Calendar Depositions”);

14 WHEREAS, the Parties have agreed to lift the fact discovery deadline to the extent  
15 that it may be necessary to reschedule the Off-Calendar Depositions to a later date, and agree to  
16 expressly waive any timeliness objections they may have in the event that any of the Off-Calendar  
17 Depositions are subsequently rescheduled and taken after the fact discovery deadline. At Judge  
18 Corley’s suggestion, the Parties therefore respectfully submit this Stipulation and Order formalizing  
19 their agreement to so lift the fact discovery deadline, once again leaving all other dates set by the  
20 Court, including those for motions and trial, unchanged;

21 IT IS THEREFORE STIPULATED AND AGREED, by and between the attorneys  
22 for Plaintiff and the attorneys for Defendants, with the Court’s permission, as follows:

23 1. The February 15, 2018, fact discovery deadline shall be lifted for the Off-  
24 Calendar Depositions.

25 2. The Parties will be permitted to reschedule any of the Off-Calendar  
26 Depositions after the fact discovery deadline if needed, and the Parties expressly waive any  
27 timeliness objections they may have in the event that any of the Off-Calendar Depositions are  
28 subsequently rescheduled and taken after the fact discovery deadline.



