

1 N. KATHLEEN STRICKLAND (SBN 64816)
 ANGELA J. YU (SBN 263212)
 2 STEPHAN CHOO (SBN 284395)
 ROPERS, MAJESKI, KOHN & BENTLEY
 3 150 Spear Street, Suite 850
 San Francisco, CA 94105
 4 Telephone: (415) 543-4800
 Facsimile: (415) 972-6301
 5 Email: kathleen.strickland@rmkb.com
 angela.yu@rmkb.com
 6 stephan.choo@rmkb.com

7 BONNIE ALLYN BARNETT (appearing pro hac vice)
 DRINKER BIDDLE & REATH LLP
 8 One Logan Square, Suite 2000
 Philadelphia, PA 19103
 9 Telephone: (215) 988-2916
 Facsimile: (215) 689-4257
 10 Email: bonnie.barnett@dbr.com

11 ADAM J. THURSTON (SBN 162636)
 DRINKER BIDDLE & REATH LLP
 12 1800 Century Park East, Suite 1500
 Los Angeles, CA 90067
 13 Telephone: (310) 203-4000
 Facsimile: (310) 229-1285
 14 Email: adam.thurston@dbr.com

15 Attorneys for Defendant
 VWR INTERNATIONAL, LLC

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 SAN FRANCISCO DIVISION

21 150 SPEAR STREET ASSOCIATES, L.P.,

22 Plaintiff,

23 v.

24 VWR INTERNATIONAL, LLC; UNIVAR
 USA INC.,

25 Defendants.

CASE NO. 3:17-cv-03246-JST-MEJ

**STIPULATION AND ~~PROPOSED~~
 ORDER MODIFYING SCHEDULING
 ORDER [DKT. NO. 53]**

[Fed. R. Civ. P. 16(b); Civil L.R. 6-2 and 7-12]

Judge: Hon. Jon S. Tigar
 Complaint Filed: June 6, 2017

STIPULATION

Pursuant to Rules 6-2 and 7-12 of the Local Rules of Practice in Civil Proceedings before the United States District Court for the Northern District of California (“Civil Local Rules”) and Rule 16(b)(4) of the Federal Rules of Civil Procedure, Plaintiff 150 Spear Street Associates, L.P. (“Plaintiff”) and Defendants VWR International, LLC and Univar USA Inc. (collectively, “Defendants”) (Plaintiff and Defendants collectively, the “Parties”), by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, on September 13, 2017, this Court issued a Scheduling Order setting the following schedule and deadlines (Dkt. No. 37);

Event	Deadline
Deadline to add parties or amend the pleadings	September 29, 2017
Fact discovery cut-off	June 1, 2018
Expert disclosures	June 22, 2018
Expert rebuttal	July 13, 2018
Expert discovery cut-off	July 27, 2018
Deadline to file dispositive motions	August 17, 2018
Pretrial conference statement due	October 30, 2018
Pretrial Conference	November 9, 2018 at 2:00 p.m.
Trial	November 26, 2018 at 8:30 a.m.

WHEREAS, on November 17, 2017, pursuant to a Stipulation and Proposed Order of the Parties (Dkt. No. 52), this Court entered an Order to Modify Scheduling Order as follows (Dkt. No. 53) (the “Operative Scheduling Order”):

Event	Prior Deadline	New Deadline
Deadline to add parties or amend the pleadings	September 29, 2017	N/A

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Fact discovery cut-off	June 1, 2018	July 16, 2018
Expert disclosures	June 22, 2018	August 6, 2018
Expert rebuttal	July 13, 2018	August 27, 2018
Expert discovery cut-off	July 27, 2018	September 10, 2018
Deadline to file dispositive motions	August 17, 2018	October 2, 2018
Pretrial conference statement due	October 30, 2018	January 21, 2019
Pretrial Conference	November 9, 2018 at 2:00 p.m.	February 1, 2019 at 2:00 p.m.
Trial	November 26, 2018 at 8:30 a.m.	February 19, 2019 at 8:30 a.m.

WHEREAS, in the course of discovery, Plaintiff has filed multiple motions to compel discovery, and the Parties anticipate that Defendants will file one or more motions to compel discovery;

WHEREAS, the Parties have engaged in extensive meet-and-confers in their efforts to resolve—without judicial intervention—discovery issues relating to the scheduling of party and non-party fact witness depositions;

WHEREAS, given the collective availability of counsel and of the proposed deponents, the Parties anticipate that the time required to complete party and fact witness depositions and to brief and respond to any related motion practice that may arise from those depositions as well as complying with any court orders related thereto exceeds the current fact discovery cut-off of July 16, 2018, such that good cause exists to modify the Operative Scheduling Order;

WHEREAS, this is the second request by the Parties to enlarge time with respect to the Scheduling Order; and

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WHEREAS, good cause exists to grant the Parties' stipulated request;

NOW THEREFORE, in view of the above, pursuant to Civil Local Rules 6-2 and 7-12 and Rule 16(b)(4) of the Federal Rules of Civil Procedure, the Parties hereby stipulate and agree to extend all dates and deadlines in the Operative Scheduling Order by 90 days such that the new deadlines for each event are as follows:

Event	Prior Deadline	New Deadline
Deadline to add parties or amend the pleadings	September 29, 2017	N/A
Fact discovery cut-off	July 16, 2018	October 15, 2018
Expert disclosures	August 6, 2018	November 5, 2018
Expert rebuttal	August 27, 2018	November 26, 2018
Expert discovery cut-off	September 10, 2018	December 10, 2018
Deadline to file dispositive motions	October 2, 2018	December 31, 2018
Pretrial conference statement due	January 21, 2019	April 22, 2019
Pretrial Conference	February 1, 2019 at 2:00 p.m.	May 3, 2019 May 2, 2019 at 2:00 p.m.
Trial	February 19, 2019 at 8:30 a.m.	May 20, 2019 at 8:30 a.m.

IT IS SO STIPULATED.

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Dated: June 4, 2018

ROPERS, MAJESKI, KOHN & BENTLEY

By: /s/ N. Kathleen Strickland
N. KATHLEEN STRICKLAND
ANGELA J. YU
STEPHAN CHOO
Attorneys for Defendant
VWR INTERNATIONAL, LLC

Dated: June 4, 2018

DRINKER BIDDLE & REATH LLP

By: /s/ Bonnie Barnett
BONNIE ALLYN BARNETT
ADAM J. THURSTON
Attorneys for Defendant
VWR INTERNATIONAL, LLC

Dated: June 4, 2018

VERIS LAW GROUP PLLC

By: /s/ Michelle Rosenthal
MICHELLE ROSENTHAL
GREGORY HIXSON
Attorneys for Defendant
UNIVAR USA INC.

Dated: June 4, 2018

NIXON PEABODY LLP

By: /s/ Jennifer Kuenster
JENNIFER KUENSTER
ANTHONY BARRON
MATTHEW RICHARDS
Attorneys for Defendant
UNIVAR USA INC.

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Dated: June 4, 2018


PILLSBURY WINTHROP SHAW PITTMAN
LLP

By: /s/ Philip S. Warden
PHILIP S. WARDEN
VIJAY K. TOKE
Attorneys for Plaintiff
150 SPEAR STREET ASSOCIATES,
L.P.

PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: June 5, 2018


HONORABLE JON S. TIGAR
UNITED STATES DISTRICT JUDGE

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, N. Kathleen Strickland, hereby attest that concurrence in the filing of this Stipulation and [Proposed] Order Modifying Scheduling Order has been obtained from each of the other signatories.

Dated: June 5, 2018

By: /s/ N. Kathleen Strickland
N. Kathleen Strickland