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9 Attorneys for Defendant
 Apple Inc.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

14 DEONN MORGAN, LYDIA ZEPEDA,
 SOPHIA IVY, KELLY OKOROCHA, and
 15 JENNIFER ZIELINSKI, CHRISTOPHER
 BIZZELLE, AND DANA RODENBECK
 16 individually and on behalf of themselves and
 all others similarly situated,

17 Plaintiffs,

18 v.

19 APPLE INC.,

20 Defendant.

Case No. 4:17-cv-5277-RS

**STIPULATION AND [~~PROPOSED~~] ORDER
 SETTING BRIEFING SCHEDULE AND
 CONTINUING CASE MANAGEMENT
 CONFERENCE**

Judge: Hon. Richard Seeborg

22 Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12 Plaintiffs Deonn Morgan, Lydia Zepeda,
 23 Sophia Ivy, Kelly Okorochoa, Jennifer Zielinski, Christopher Bizzelle, and Dana Rodenbeck
 24 (“Plaintiffs”) and Defendant Apple Inc. (“Defendant”), by and through their respective counsel
 25 hereby agree and stipulate that good cause exists to request an order from the Court setting the
 26 below briefing schedule on Apple’s anticipated Motion to Dismiss the First Amended Class Action
 27 Complaint (“FAC”) and rescheduling the initial Case Management Conference currently set in this
 28

1 action for March 1, 2018 to April 19, 2018, and to adjust accordingly the related deadlines as set
2 forth below:

3 WHEREAS, Plaintiffs filed their initial complaint (ECF No. 1) on September 12, 2017;

4 WHEREAS, Plaintiffs filed a corrected complaint on September 13, 2017 ((ECF No. 3-1)
5 the “Complaint”);

6 WHEREAS, on November 20, 2018, the Court entered an order (ECF No. 24) setting the
7 following schedule:

Date	Event
December 1, 2017	Apple’s Motion to Dismiss the Complaint
January 12, 2018	Plaintiffs’ Opposition to Apple’s Motion to Dismiss
February 8, 2018	Apple’s Reply in support of its Motion to Dismiss
February 9, 2018	Last day to: meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan
	File ADR Certification by parties and counsel
	File either stipulation to ADR Process or Notice of Need for ADR Phone Conference
February 22, 2018	Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per Standing Order re Contents of Joint Case Management Statement
March 1, 2018	Initial Case Management Conference and Hearing on Apple’s Motion to Dismiss the Complaint

18 WHEREAS, on December 1, 2017, Defendant filed a Motion to Dismiss the Complaint
19 (ECF 26);

20 WHEREAS, on December 20, 2017, Plaintiffs filed the FAC (ECF No. 28), adding *inter*
21 *alia* plaintiffs Bizzelle and Rosenbeck in addition to new causes of action;

22 Apple’s response to the FAC is currently due on January 3, 2018, which is right after Court
23 holidays;

24 WHEREAS, the parties agree that in light of the upcoming Court holidays and given that
25 Plaintiffs added two new plaintiffs and new causes of action, Apple’s deadline to respond to the
26 FAC should be extended to January 24, 2018;

27 WHEREAS, Apple intends to file a motion to dismiss the FAC;

28

1 WHEREAS, the parties met and conferred regarding a hearing date after checking the
2 Court's calendar to determine the Court's availability;

3 WHEREAS, based on the Court's calendar, the parties agreed that the hearing date on
4 Apple's Motion to Dismiss should be set for April 19, 2018;

5 WHEREAS, in light of the agreed upon hearing date and the upcoming Court holidays and
6 the parties' and their respective counsels' related travel schedules, the parties agreed on the briefing
7 schedule set forth below;

8 WHEREAS, the parties agree that to conserve judicial and party resources, the initial Case
9 Management Conference should be the same day as the hearing on Apple's Motion to Dismiss;

10 WHEREAS, the parties agree, in light of the above, that the following schedule should be
11 set:

Date	Event
January 24, 2018	Apple's Motion to Dismiss the FAC
February 21, 2018	Plaintiffs' Opposition to Apple's Motion to Dismiss
March 14, 2018	Apple's Reply in support of its Motion to Dismiss
March 22, 2018	Last day to: meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan
	File ADR Certification by parties and counsel
	File either stipulation to ADR Process or Notice of Need for ADR Phone Conference
April 5, 2018	Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per Standing Order re Contents of Joint Case Management Statement
April 19, 2018	Initial Case Management Conference and Hearing on Apple's Motion to Dismiss the FAC

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22 WHEREAS this stipulation shall not be deemed a waiver of any rights or defenses by any
23 party, including, but not limited to, the right of Apple to raise jurisdiction issues or to file any
24 motions to dismiss or motions, the right to object to any discovery requests on any grounds, and
25 this stipulation shall in no way constitute an appearance for the purpose of personal jurisdiction
26 over any party;

27 NOW THEREFORE, THE FOLLOWING IS HEREBY STIPULATED by and between the
28 parties, through their respective counsel:

The following deadlines will be set in this action:

Date	Event
January 24, 2018	Apple's Motion to Dismiss the FAC
February 21, 2018	Plaintiffs' Opposition to Apple's Motion to Dismiss
March 14, 2018	Apple's Reply in support of its Motion to Dismiss
March 22, 2018	Last day to: meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan
	File ADR Certification by parties and counsel
	File either stipulation to ADR Process or Notice of Need for ADR Phone Conference
April 5, 2018	Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per Standing Order re Contents of Joint Case Management Statement
April 19, 2018	Initial Case Management Conference and Hearing on Apple's Motion to Dismiss the FAC

IT IS SO STIPULATED.

Date: December 28, 2017

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Attorneys for Defendant Apple Inc.

Dated: December 28, 2017

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PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 12/29, 2017



THE HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE