

1 LISA M. BERTAIN, CASB No. 124646
 lisa.bertain@kyl.com
 2 IAN ROSS, CASB No. 284842
 ian.ross@kyl.com
 3 KEESAL, YOUNG & LOGAN
 A Professional Corporation
 4 450 Pacific Avenue
 San Francisco, California 94133
 5 Telephone: (415) 398-6000
 Facsimile: (415) 981-0136

6 Attorneys for Defendant
 7 PHILLIPS 66 COMPANY

8
 9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11

12 DEAN A. ROBBINS,)	Case No. 3:18-cv-00292-RS
)	
13 Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	TO EXTEND CURRENTLY-SET
14 vs.)	DEADLINES IN DISCOVERY ORDER
)	
15 PHILLIPS 66 COMPANY,)	
)	
16 Defendant.)	
)	

17
 18 Plaintiff DEAN A. ROBBINS (“Plaintiff” or “Mr. Robbins”) and Defendant PHILLIPS 66
 19 COMPANY (“Defendant” or “Phillips 66”) (collectively, the “Parties”) by and through their
 20 respective counsel of record, hereby stipulate and agree as follows:

21 WHEREAS, on November 27, 2017, Plaintiff filed this lawsuit in the San Francisco Superior
 22 Court;

23 WHEREAS, on January 12, 2018, Defendant removed the action to this Court;

24 WHEREAS, on May 17, 2018, the Court set the current class certification briefing schedule:
 25 Plaintiff’s Motion for Class Certification due by March 13, 2019; Defendant’s Opposition to Motion
 26 for Class Certification due by April 17, 2019; Plaintiff’s Reply to Defendant’s Opposition to Motion
 27 for Class Certification due by May 1, 2019; and hearing on Plaintiff’s Motion for Class Certification
 28 on May 23, 2019 at 1:30 p.m.;

1 WHEREAS, on December 6, 2018 the Parties submitted a joint letter brief regarding a dispute
2 relating to class-wide pre-certification discovery;

3 WHEREAS, on December 10, 2018 the Court ordered a telephonic discovery hearing on
4 December 14, 2018 to address discovery issues with the Honorable Magistrate Judge Thomas S.
5 Hixson;

6 WHEREAS, on December 14, 2018 the Parties participated in a telephonic discovery hearing
7 before Judge Hixson;

8 WHEREAS, on December 17, 2018 Judge Hixson issued a Discovery Order directing, in part,
9 that Defendant file by January 7, 2019 detailed declarations describing the burden of producing certain
10 information and/or documents as specified in the Order, and also scheduling a January 9, 2019
11 telephonic hearing to further discuss the issue of burden with respect to a number of Plaintiff's
12 discovery requests (among other items);

13 WHEREAS, on December 21, 2018 the Parties submitted a joint scheduling stipulation
14 seeking the following modified class certification briefing schedule: Plaintiff's Motion for Class
15 Certification due by September 19, 2019; Defendant's Opposition to Motion for Class Certification
16 due by October 31, 2019; Plaintiff's Reply to Defendant's Opposition to Motion for Class
17 Certification due by November 14, 2019; and hearing on Plaintiff's Motion for Class Certification on
18 December 12, 2019 at 1:30 p.m.;

19 WHEREAS, on January 2, 2019 the Court issued an Order granting the Parties' December 21,
20 2018 stipulation granting a six-month extension for Plaintiff to file his motion for class certification
21 ("six month extension");

22 WHEREAS, due to unavailability of witnesses since the Order was issued on December 17'
23 2018 and the six-month extension granted by Judge Seeborg for Plaintiff to file his motion for class
24 certification, Plaintiff agrees to a three-week extension of all of the deadlines currently set forth in
25 Judge Hixson's Order;

26 WHEREAS, in light of the foregoing, the Parties agree that good cause exists to extend the
27 deadline for Defendant to file its declarations as ordered in Judge Hixson's December 17, 2018
28 Discovery Order.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILER'S ATTESTATION:

Pursuant to Civil Local Rule 5-1 (i)(3), I hereby attest that concurrence in the filing of this document has been obtained.

DATED: January 7, 2019

KEESAL, YOUNG & LOGAN

/s/ Ian Ross
LISA M. BERTAIN
IAN ROSS
KEESAL, YOUNG & LOGAN
Attorneys for Defendant
PHILLIPS 66 COMPANY

~~[PROPOSED]~~ ORDER

Pursuant to the Parties' stipulation, and good cause being shown, **IT IS SO ORDERED.**

DATED: January 7, 2019



HONORABLE JUDGE HIXSON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28