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18 **UNITED STATES DISTRICT COURT**

19 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

20 BRIAN KUTZA and ANIL KUMAR URMIL
 21 on behalf of themselves and all others
 similarly situated,

22 Plaintiffs,

23 v.

24 WILLIAMS-SONOMA, INC.,

25 Defendant.

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Case No. 3:18-cv-03534-RS

**JOINT STIPULATION AND ORDER TO
 EXTEND ALL DISCOVERY CUTOFF
 DATES AND ALL OTHER
 PROCEDURAL DEADLINES**

Complaint Filed: June 13, 2018
 Trial Date: None Set

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 Pursuant to Local Rules 6-1(b) and 6-2, Plaintiffs Brian Kutza and Anil Kumar Urmil
3 (“Plaintiffs”) and Defendant Williams-Sonoma, Inc. (“Defendant”), by and through their
4 respective counsel, submit this Stipulation to extend all discovery cut-off dates and all other
5 procedural deadlines. The Stipulation is based on the following facts, which demonstrate that the
6 continuance will allow the Parties to continue marshalling the evidence necessary for properly
7 briefing class-certification issues:

8 **RECITALS**

9 1. Plaintiff filed the *Class Action Complaint* (the “*Complaint*”) against Defendant on
10 June 13, 2018 (Dkt. 1);

11 2. On February 15, 2019, the Court issued a Case Management Scheduling Order
12 (Dkt. 45) and on April 11, 2019, the Court issued an Amended Case Management Scheduling
13 Order (Dkt. 46).

14 3. On June 21, 2019, Plaintiffs filed a Motion to Amend the Case Management
15 Scheduling Order (Dkt. 49). Defendant opposed that Motion (Dkt. 52).

16 4. On July 2, 2019, the Court entered a Further Scheduling Order (Dkt. 53), *inter alia*,
17 modifying the current scheduling order as follows:

18 a) The non-expert discovery cut-off was continued to March 31, 2020.

19 b) The deadline to designate experts was continued to February 28, 2020.

20 c) The deadline to designate supplemental and rebuttal experts was continued to
21 March 20, 2020.

22 d) The expert discovery cut-off was continued to April 10, 2020.

23 e) The hearing date for class certification was continued to July 24, 2020.

24 5. Since the date of the Further Scheduling Order, the Parties have diligently engaged
25 in discovery including various meet-and-confer sessions to address interrogatories and requests for
26 production to which Defendant posed objections. In those conferral efforts, Plaintiffs agreed to
27 refine certain discovery requests and the Parties reached agreement regarding the provision of
28 supplemental responses. Defendant provided supplemental responses to certain of Plaintiffs’

1 discovery requests and intends to provide second supplemental responses. Defendant having
2 served interrogatories and requests for production on Plaintiffs. Plaintiffs provided initial
3 responses thereto, provided supplemental responses to requests for production, and intend to
4 provide second supplemental responses to requests for production and supplemental responses to
5 interrogatories.

6 6. Discovery is still ongoing, and the Parties are working together to ensure that the
7 discovery requests are completed in a timely fashion.

8 7. Over the past few months, the Parties have engaged in numerous discussions to
9 identify what relevant Electronically Stored Information (ESI) is in Defendant's possession, to
10 identify custodians that have information responsive to Plaintiffs' document requests, and to
11 identify what search terms the Defendant will use to identify ESI to confirm that Plaintiffs are
12 provided with the information they need to ensure meaningful discovery, but at the same time, not
13 place an undue burden on Defendant by having to engage in voluminous searches for documents.

14 8. Plaintiffs are also working to locate any relevant documents and information in
15 their possession, custody, or control, to allow Plaintiffs to fully respond to Defendants' discovery
16 requests.

17 9. Even with the exercise of due diligence, the Parties are unable to meet the timetable
18 set forth in the current case management schedule – specifically, the April 10, 2020 fact discovery
19 cut-off, and relatedly, the expert disclosure cut-off and the July 24, 2020 hearing date for
20 Plaintiffs' motion for class certification.

21 10. As a result, the Parties have agreed to seek an Order extending current deadlines in
22 the case management order for ninety (90) days.

23 11. The Parties hereby stipulate and request that the Court enter an Order for the
24 following extensions, if acceptable to the Court:

- 25 a) The non-expert discovery cut-off shall be continued to June 29, 2020.
- 26 b) The deadline for the Parties' designation of experts shall be continued to May 28,
27 2020.


1 **ORDER**

2 The Court has received and considered Plaintiffs' Motion to Amend the Case Management
3 Scheduling Order in the above captioned manner. The Court has reviewed all materials submitted in
4 support and opposition to the motion. After careful consideration, the Court concludes that
5 Plaintiffs' motion to amend the scheduling order should be GRANTED, and ORDERS as follows:

- 6
- 7 1. The Parties' non-expert discovery cut-off currently set for March 31, 2020, is
8 CONTINUED to **June 29, 2020**.
 - 9 2. The deadline for the Parties' designation of experts currently set for February 28,
10 2019 is CONTINUED to **May 28, 2020**.
 - 11 3. The deadline for the Parties' designation of supplemental and rebuttal experts
12 currently set for March 20, 2020 is CONTINUED to **June 18, 2020**.
 - 13 4. The Parties' expert discovery cut-off currently set for April 10, 2020, is
14 CONTINUED to **July 9, 2020**.
 - 15 5. The hearing date for Plaintiffs' motion for class certification currently set for July 24,
16 2020 is CONTINUED to **October 22, 2020**.

17
18 IT IS SO ORDERED.

19
20 DATED: 1/27/2020

21 
22 HONORABLE RICHARD SEEBORG
23 UNITED STATES DISTRICT JUDGE