

1 KIESEL LAW LLP
Paul R. Kiesel, State Bar No. 119854
2 Jeffrey A. Koncius, State Bar No. 189803
8648 Wilshire Boulevard
3 Beverly Hills, California 90211-2910
Tel: 310-854-4444
4 Fax: 310-854-0812
Email: kiesel@kiesel.law
5 Email: koncius@kiesel.law

LEWIS AND LEWIS
TRIAL LAWYERS, PLC
Robert K. Lewis (AZ SBN 016625)
Pro Hac Vice
Amy M. Lewis (AZ SBN 027201)
Pro Hac Vice
Scottsdale, AZ 85262
Tel: (602) 889-6666
Email: Rob@LewisLawFirm.com
Email: Amy@LewisLawFirm.com

6
7 Attorneys for Plaintiff Steven C. Johnson

8 Paul G. Cereghini (SBN 148016)
Lauren O. Miller (SBN 279448)
9 BOWMAN AND BROOKE LLP
1741 Technology Drive, Suite 200
10 San Jose, CA 95110
Telephone: (408) 279-5393
11 Facsimile: (408) 279-5845
paul.cereghini@bowmanandbrooke.com
12 lauren.miller@bowmanandbrooke.com
carissa.casolari@bowmanandbrooke.com

Christopher Renzulli (Pro Hac Vice)
John F. Renzulli (Pro Hac Vice)
Howard B. Schilsky (Pro Hac Vice)
RENZULLI LAW FIRM, LLP
One North Broadway, Suite 1005
White Plains, NY 10601
Telephone: (914) 285-0700
Facsimile: (914) 285-1213
jrenzulli@renzullilaw.com
crenzulli@renzullilaw.com
hschilsky@renzullilaw.com

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14 Attorneys for Defendants Glock, Inc. and Glock Ges.m.b.H.

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16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

18
19 STEVEN C. JOHNSON, an individual, on)
behalf of himself and all others similarly)
20 situated,)

21 Plaintiff,)

22 vs.)

23 GLOCK, INC., a Georgia Corporation;)
24 GLOCK Ges.m.b.H., an Austrian entity;)
JOHN and JANE DOES I through V;)
25 ABC CORPORATIONS I-X, XYZ)
PARTNERSHIPS, SOLE)
26 PROPRIETORSHIPS and/or JOINT)
27 VENTURES I-X, GUN COMPONENT)
MANUFACTURERS I-V)

28 Defendants.)

CASE NO.: 3:20-cv-08807-WHO

**JOINT STIPULATION AND
[PROPOSED] ORDER TO EXTEND
CLASS CERTIFICATION BRIEFING
SCHEDULE**

CASE NO.: 3:20-cv-08807-WHO

JOINT STIPULATION AND [PROPOSED] ORDER TO EXTEND CLASS CERTIFICATION
BRIEFING SCHEDULE

1 Plaintiff STEVEN C. JOHNSON (“Plaintiff”) and Defendants GLOCK, INC., and
2 GLOCK Ges.m.b.H. (“Defendants,” and together with Plaintiff, the “Parties”), by and
3 through their counsel of record, and pursuant to Civil L.R. 6-2 and Rule 29 of the Federal
4 Rules of Civil Procedure, hereby stipulate and jointly move to continue the class
5 certification briefing schedule as described below.

6 WHEREAS, Plaintiff filed his Motion for Class Certification on October 12, 2023.

7 WHEREAS, Defendants’ opposition is due on December 12, 2023, and Plaintiff’s
8 reply is due on February 12, 2024. (ECF No. 99). The hearing on Plaintiff’s Motion for
9 Class Certification is currently scheduled for February 28, 2024. *Id.*

10 WHEREAS, the Court has previously approved two extensions of the deadline for
11 Plaintiff to file his Motion for Class Certification (and associated deadlines). (ECF Nos.
12 93-94; 98-99).

13 WHEREAS, the Parties are requesting an extension of the deadline for Defendants’
14 opposition to Plaintiff’s Motion for Class Certification (and associated deadlines) due to
15 the following circumstances:

16 (1) Expert Depositions. Plaintiff’s Motion for Class Certification relies upon an
17 extensive record and four expert reports. The expert reports alone total a combined 318
18 pages. The remaining 39 separate exhibits are thousands of pages and include some
19 documents Defendants had not previously seen. Based on Plaintiff’s submission,
20 Defendants are contemplating the appropriate response to oppose Plaintiff’s Motion for
21 Class Certification. Preliminarily, the Parties are attempting to schedule depositions of
22 Plaintiff’s proposed experts but have encountered timing issues that affect Defendants’
23 ability to conduct depositions before their opposition is due. For example, one of Plaintiff’s
24 experts will not be available for a deposition until mid-January and the Parties are still
25 attempting to coordinate dates for the depositions of Plaintiff’s other three experts in
26 December and/or January (if necessary). In addition to complications with coordinating
27 everyone’s various schedules, upcoming holidays have become a factor for scheduling.

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1 The Parties agree that additional time is needed to conduct depositions of Plaintiff's experts
2 with sufficient time for Defendants to prepare their opposition to class certification.

3 (2) Defendants' Expert Reports. Defendants' experts also need additional time
4 to prepare their reports as they intend to rely, at least in part, on testimony of Plaintiff's
5 experts. Considering the voluminous record, Defendants believe additional time is needed
6 for Defendants' experts to prepare full and complete responsive reports.

7 (3) Additional Discovery. Defendants served a second set of requests for
8 production and interrogatories on Plaintiff following Plaintiff's deposition that was
9 conducted on September 7, 2023. Defendants agreed to extend the time for Plaintiff to
10 respond to the discovery until November 30. Plaintiff's responses, however, are necessary
11 for Defendants to prepare their opposition to class certification and, therefore, additional
12 time is needed to receive and review Plaintiff's supplemental discovery responses before
13 the deadline for Defendants to file their opposition.

14 (4) Commensurate Extension for Plaintiff. Considering the foregoing, Plaintiff
15 is also requesting an extension of time for filing his reply. To the extent Plaintiff seeks
16 depositions of Defendants' experts, the Parties anticipate that similar scheduling issues
17 may arise and believe it would be prudent to allow for some flexibility in scheduling.
18 Plaintiff also recently served a third set of requests for production and interrogatories,
19 including 86 additional requests for production, and a second set of 63 additional requests
20 for admission on Defendants. Plaintiff has agreed to extend the time for Defendants to
21 respond while the parties meet and confer regarding the scope of this discovery. The Parties
22 agree that additional time is warranted to the extent Plaintiff believes the additional
23 discovery is needed for his reply.

24 WHEREAS, the Parties have met and conferred, and stipulate to mutually extend
25 the remaining class certification deadlines as follows:

- 26 1. The new deadline for Defendants to file an Opposition to Plaintiff's Motion
27 for Class Certification is February 23, 2024.

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- 1 2. The new deadline for Plaintiff to file his Reply in support of his Motion for
2 Class Certification is May 23, 2024.
3 3. The new hearing date on Plaintiff's Motion for Class Certification is June 5,
4 2024, at 2:00 p.m. PST, or as soon thereafter as counsel may be heard.

5 **IT IS SO STIPULATED.**

6 Respectfully submitted,

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8 Dated: November 27, 2023

/s/ Robert Lewis

LEWIS LAW FIRM, PLC

Robert K. Lewis, *Pro Hac Vice*

Amy M. Lewis, *Pro Hac Vice*

2302 N. 3rd Street

Phoenix, Arizona 85004

Tel: (602) 889-6666

Fax: (602) 252-1446

Email: rob@lewislawfirm.com

Email: amy@lewislawfirm.com

Paul R. Kiesel, State Bar No. 119854

kiesel@kiesel.law

Jeffrey A. Koncius, State Bar No. 189803

koncius@kiesel.law

KIESEL LAW LLP

8648 Wilshire Boulevard

Beverly Hills, California 90211-2910

Tel: 310-854-4444

Fax: 310-854-0812

Nicholas Panayotopoulos, *Pro Hac Vice*

npanayo@wwhgd.com

Gary J. Toman, *Pro Hac Vice*

gtoman@wwhgd.com

Alexander Heydemann, *Pro Hac Vice*

aheydemann@wwhgd.com

WEINBERG WHEELER HUDGINS

GUNN & DIAL LLC

3344 Peachtree Road, NE

Atlanta, Georgia 30326

Tel: 404-876-2700

Attorneys for Plaintiff

CASE NO.: 3:20-cv-08807-WHO

1 Dated: November 27, 2023

/s/ Howard B. Schilsky
John F. Renzulli (Pro Hac Vice)
Christopher Renzulli (Pro Hac Vice)
Howard B. Schilsky (Pro Hac Vice)
RENZULLI LAW FIRM, LLP
One North Broadway, Suite 1005
White Plains, NY 10601
Telephone: (914) 285-0700
Facsimile: (914) 285-1213
jrenzulli@renzullilaw.com
crenzulli@renzullilaw.com
hschilsky@renzullilaw.com

8 Paul G. Cereghini (SBN 148016)
9 Lauren O. Miller (SBN 279448)
BOWMAN AND BROOKE LLP
10 1741 Technology Drive, Suite 200
San Jose, CA 95110
11 Telephone: (408) 279-5393
Facsimile: (408) 279-5845
12 paul.cereghini@bowmanandbrooke.com
lauren.miller@bowmanandbrooke.com

13 Carissa Casolari (SBN 292878)
BOWMAN AND BROOKE LLP
14 970 West 190th Street, Suite 700
Torrance, CA 90502
15 Telephone: (310) 768-3068
Facsimile: (310) 719-1019
16 Carissa.casolari@bowmanandbrooke.com

17 Attorneys for Defendants Glock, Inc. and Glock
18 Ges.m.b.H.

1 **[PROPOSED] ORDER**

2 The Court, having fully considered the Parties' Joint Stipulation and [Proposed] Order to
3 Continue Class Certification Briefing Schedule HEREBY ORDERS as follows:

- 4 1. The new deadline for Defendants to file an Opposition to Plaintiff's Motion for
5 Class Certification is February 23, 2024.
- 6 2. The new deadline for Plaintiff to file his Reply in support of his Motion for Class
7 Certification is May 23, 2024.
- 8 3. **The new hearing date on Plaintiff's Motion for Class Certification is June 12,**
9 **2024, at 2:00 p.m. PST.**

10
11 **IT IS SO ORDERED.**

12
13 Dated: November 27, 2023

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15 _____
16 UNITED STATES DISTRICT JUDGE