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 14
 15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA

17 GOPI VEDACHALAM and KANGANA
 18 BERI, on behalf of themselves and all
 19 others similarly situated,

20 Plaintiffs,

21 v.

22 TATA AMERICA INTERNATIONAL
 CORPORATION, a New York
 23 corporation; TATA CONSULTANCY
 SERVICES, LTD, an Indian Corporation;
 24 and TATA SONS, LTD, an Indian
 Corporation.

25 Defendants.

CASE NO. C 06-0963 (CW)

**STIPULATION AND ORDER RE: CLASS
 CERTIFICATION DISCOVERY AND
 BRIEFING SCHEDULE**

1 **WHEREAS**, on February 2, 2011, the Court set the following schedule for Plaintiffs’
2 motion for class certification (the “Motion for Class Certification”): Plaintiffs’ moving papers
3 due on April 25, 2011; Defendants’ opposition papers due on June 3, 2011; Plaintiffs’ reply
4 papers due on June 23, 2011; and the class certification hearing on July 14, 2011;

5 **WHEREAS**, on April 25, 2011, Plaintiffs served and filed their Motion for Class
6 Certification, including 46 declarations of individuals (the “46 Declarants”), who are located
7 across sixteen (16) states in the United States and six (6) foreign countries;

8 **WHEREAS**, Defendants contend that the 46 Declarants were not previously disclosed to
9 Defendants;

10 **WHEREAS**, Defendants and Plaintiffs have agreed to produce documents and conduct
11 depositions of Declarants on an expedited schedule, including double-tracking depositions, where
12 possible, and evaluating whether time limits on the depositions may be appropriate, to conclude
13 depositions of the United States based Declarants by July 15, 2011;

14 **WHEREAS**, Defendants will inform Plaintiffs by July 1, 2011 whether they intend to
15 depose the non-United States-based Declarants; and

16 **WHEREAS**, Defendants and Plaintiffs submit this proposed order which seeks
17 modification of the current deadlines to allow for the referenced discovery;

18 **THE PARTIES HEREBY AGREE AND STIPULATE AS FOLLOWS:**

- 19 1. Discovery, including production of documents and depositions, of the 46 Declarants may
20 commence as soon as reasonably feasible based on the parties’ and the 46 Declarants’
21 schedules, with discovery of all United States-based Declarants concluding no later than
22 July 15, 2011;
- 23
- 24 2. For the 46 Declarants, Defendants will produce, so that Plaintiffs’ Counsel receive them
25 by no later than five (5) days before the deposition, documents constituting or relating to
26 their personnel files, including Deputation Agreements, Deputation Terms Agreements,
27 visa petitions, W2 forms, monthly earnings statements, and tax refund checks or records
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of payment for tax refund amounts concerning or governing the time period from February 12, 2002 to the present, to the extent the requested documents can be located;

- 3. Plaintiffs’ Motion for Class Certification, currently set for hearing on July 14, 2011, is re-set for hearing on October 13, 2011 at 2:00 p.m. (or on a date thereafter convenient to the Court); Defendants’ opposition to the Motion for Class Certification is due August 12, 2011; and Plaintiffs’ reply in further support of the Motion for Class Certification is due on September 22, 2011; and
- 4. Defendants and Plaintiffs respectfully submit that this proposed schedule is without prejudice to either party seeking additional time if: (a) discovery is not completed in the timeframes outlined above despite the Parties’ best efforts or (b) Defendants notify Plaintiffs that they intend to take the depositions of some or all of the non-United States based Declarants and the parties cannot schedule such depositions before July 15, 2011.

IT IS SO STIPULATED.

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Dated: May 9, 2011

RUKIN HYLAND DORIA & TINDALL LLP

By: /s/ Steven M. Tindall

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KELLEY DRYE & WARREN LLP

Dated: May 9, 2011

By: _____ /s/ William A. Escobar

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*Counsel for Defendants TATA AMERICA
INTERNATIONAL CORPORATION, TATA
CONSULTANCY SERVICES, LTD., and TATA SONS,
LTD.*

**IT IS SO ORDERED. Plaintiffs' Motion for Class Certification and Case Management
Conference will be heard on Thursday, October 20, 2011 at 2:00 p.m.**



HONORABLE CLAUDIA WILKEN
United States District Court Judge