

United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STEVEN MCARDLE, an individual, on
behalf of himself, the general
public and those similarly
situated,

Plaintiff,

v.

AT&T MOBILITY LLC; NEW CINGULAR
WIRELESS PCS LLC; NEW CINGULAR
WIRELESS SERVICES, INC.; and DOES
1-50,

Defendants.

No. C 09-1117 CW

ORDER SETTING
BRIEFING SCHEDULE,
GRANTING
PLAINTIFFS LEAVE
TO CONDUCT LIMITED
DISCOVERY, AND
REFERRING
DISCOVERY DISPUTES
IN CASE NO. 10-
3440 TO MAGISTRATE
JUDGE JAMES

KENNETH A. THELIAN, an
individual, on behalf of himself,
the general public and those
similarly situated,

Plaintiff,

v.

AT&T MOBILITY LLC; NEW CINGULAR
WIRELESS PCS LLC; and NEW
CINGULAR WIRELESS SERVICES, INC.,

Defendants.

No. C 10-3440 CW

Having considered the parties' joint statement setting forth
their separate proposals for case management, the Court sets the
following schedule for Defendants' motion to compel arbitration:

<u>Event</u>	<u>Date</u>
Deadline for Defendants to file their joint motion to compel arbitration of the claims of both Plaintiffs, contained in a single brief of twenty-five pages or less	Thursday, January 10, 2013


1 2 3 4	Deadline for Plaintiffs to file their joint opposition to Defendants' motion to compel arbitration, contained in a single brief of twenty-five pages or less	Thursday, February 7, 2013
5 6 7	Deadline for Defendants to file their reply in support of their motion to compel arbitration, contained in a single brief of fifteen pages or less	Thursday, February 28, 2013
8	Hearing on the motion to compel arbitration	Thursday, March 14, 2013 at 2:00 p.m.

9 The Court grants Plaintiffs leave to conduct limited
10 discovery regarding matters relevant to generally applicable
11 contract defenses. Pursuant to Local Rule 72-1, it is HEREBY
12 ORDERED that all further discovery motions filed in Thelian v.
13 AT&T Mobility LLC, Case No. 10-3440, are referred to Chief
14 Magistrate Judge James, to whom discovery matters have already
15 been referred in McArdle v. AT&T Mobility LLC, Case No. 09-1117.
16 The parties shall meet and confer regarding Plaintiffs' discovery
17 requests and, if they are unable to resolve their disputes, shall
18 comply with the procedures set forth in Chief Magistrate Judge
19 James's Discovery Standing Order.

20 If necessary, the Court will set a case management conference
21 at which to set further dates, including dates for Plaintiffs'
22 motion for class certification, in the order resolving Defendants'
23 motion to compel arbitration.

24 IT IS SO ORDERED.

25
26 Dated: 12/10/2012



CLAUDIA WILKEN
United States District Judge