

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

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

MICHAEL KOSTA and STEVE BATES,
individuals, on their own behalf and on behalf of
all others similarly situated,

Plaintiffs,

v.

DEL MONTE FOODS, INC.,

Defendant.

Case No. C12-01722 YGR

**ORDER GRANTING CORRECTED
STIPULATION RE CLASS
CERTIFICATION AND CASE
MANAGEMENT**

Judge: Hon. Yvonne Gonzalez Rogers
Action Filed: April 5, 2012

Pursuant to the Court's orders of September 2 and 4, 2014, (Dkt. Nos. 156 and 159), and subject to approval by the Court, Plaintiffs Michael Kosta and Steve Bates ("Plaintiffs"), on behalf of themselves and all others similarly situated, and Defendant Del Monte Foods, Inc. ("Del Monte" or "Defendant") hereby stipulate as follows:

IT IS HEREBY STIPULATED that Plaintiffs shall move for class certification on or before November 10, 2014, Del Monte's response to Plaintiffs' motion shall be due on December 15, 2014, and Plaintiffs' reply brief shall be due on January 12, 2015.

IT IS FURTHER STIPULATED that the following deadlines and hearing shall be vacated: 1) the October 7, 2014 deadline for opening expert reports; 2) the October 28, 2014 deadline for rebuttal expert reports; 3) the November 17, 2014 deadline to complete private mediation; 4) the November 18, 2014 expert discovery cutoff; 5) the December 23, 2014 deadline for filing dispositive and Daubert motions; and 6) the February 3, 2015 hearing on dispositive and Daubert motions.

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

Dated: September 17, 2014

WILLIAM L. STERN (CA SBN 96105)
WStern@mofo.com
CLAUDIA M. VETESI (CA SBN 233485)
CVetesi@mofo.com
LISA A. WONGCHENKO (CA SBN 81782)
LWongchenko@mofo.com
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
Telephone: 415.268.7000
Facsimile: 415.268.7522

By: /s/ William L. Stern
WILLIAM L. STERN

Attorneys for Defendant
DEL MONTE FOODS, INC.

Dated: September 17, 2014

By: /s/ Pierce Gore
PIERCE GORE

Brian K. Herrington (admitted pro hac vice)
DON BARRETT, P.A.
404 Court Square North
P.O. Box 927
Lexington, MS 39095

Attorneys for Plaintiffs

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: October 2, 2014



YVONNE GONZALEZ ROGERS
United States District Judge