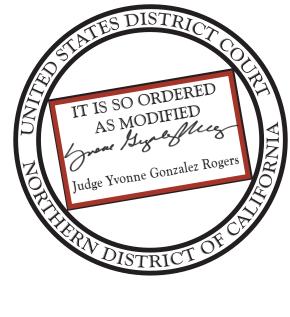
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Attorneys for Plaintiffs and the Proposed Class



JOINT STIPULATION RE: PRODUCTION OF NATIONWIDE TRANSACTION DATA

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND DIVISION

CHRISTOPHER CORCORAN, et al., Plaintiffs,

v.

CVS PHARMACY, INC.,

No. 15-CV-03504-YGR

STIPULATION REGARDING DEFENDANT CVS PHARMACY, INC.'S PRODUCTION OF NATIONWIDE TRANSACTION DATA

Case No.: 3:15-cv-03504

WHEREAS, pursuant to the Case Management and Pretrial Order filed on December 9, 2015 [Dkt. No. 62], Plaintiffs must file their motion for class certification by August 2, 2016; defendant CVS Pharmacy, Inc. ("CVS") must file its opposition by September 20, 2016; and Plaintiffs must file their Reply by November 8, 2016;

Defendant.

WHEREAS the Court's hearing on Plaintiffs' motion for class certification is currently scheduled for December 6, 2016;

WHEREAS, on February 5, 2016, CVS produced to Plaintiffs transaction data reflecting purchases of drugs on CVS's Health Savings Pass ("HSP") program in 12 states and the District of Columbia, reflecting the states in which at least one named plaintiff resides or has filled a prescription for an HSP-eligible medication at a CVS pharmacy;

WHEREAS, Plaintiffs will seek to certify a class on a nationwide basis in addition to state-specific subclasses;

WHEREAS, on June 14, 2016, the parties filed a Discovery Dispute Letter Brief regarding Plaintiffs' motion to compel CVS to produce transaction data from the remaining states where CVS has retail pharmacy stores (the "Nationwide Data");

WHEREAS, on June 22, 2016, the Court held a discovery hearing regarding the Nationwide Data;

1	WHEREAS, at that hearing, the Court offered CVS the choice of deferring a			
2	ruling on Plaintiffs' motion to compel until after receiving the Court's ruling on its pending			
3	motion to dismiss, thereby suspending indefinitely Plaintiffs' deadline to file their motion for			
4	class certification, or producing the Nationwide Data now;			
5	WHEREAS, on June 23, 2016, the Court instructed the parties to inform the			
6	Court regarding a stipulation as to their agreed-upon schedule for CVS's production of the			
7	Nationwide Data and the briefing deadlines for Plaintiffs' motion for class certification;			
8	WHEREAS, CVS informed Plaintiffs, on June 23, 2016, that they would need			
9	through the better part of August to produce the Nationwide Data, and in order to have certain			
10	deadlines;			
11	NOW THEREFORE, ALL PARTIES, BY AND THROUGH THEIR			
12	UNDERSIGNED COUNSEL hereby stipulate as follows:			
13	(1) CVS will produce the	(1) CVS will produce the Nationwide Data by August 26, 2016;		
14	(2) Plaintiffs will file the	(2) Plaintiffs will file their motion for class certification by October 3, 2016;		
15	(3) CVS will file its oppo	(3) CVS will file its opposition to Plaintiffs' motion for class certification		
16	by November 21, 2016;			
17	(4) Plaintiffs will file the	(4) Plaintiffs will file their reply in support of their motion for class		
18	certification by January 9, 2017;			
19	(5) The parties await the	Court's instruction regarding a new hearing date		
20	for Plaintiffs' motion for class certification.	THE HEARING ON PLAINTIFFS' MOTION FOR CLASS CERTIFICATION IS CONTINUED TO TUESDAY, JANUARY 31, 2017 ON THE		
21	SO STIPULATED.			
22			COURT'S 2:00 P.M. CALENDAR.	
23	Date: June 23, 2016			
24			WILLIAMS & CONNOLLY LLP	
25		D		
26		By:	<u>/s/ Grant A. Geyerman</u> Grant A. Geyerman	
27				
		- 3 -	Case No.: 3:15-cv-03504	

Attorney for Defendant CVS Pharmacy, Inc.

STEIN MITCHELL MUSE CIPOLLONE & BEATO LLP

By: <u>/s/ Robert B. Gilmore</u> Robert B. Gilmore

Attorney for Plaintiffs