

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 JEANNE STATHAKOS, et al.,

4 Plaintiffs,

5 v.

6 COLUMBIA SPORTSWEAR COMPANY,
7 et al.,

8 Defendants.

Case No. 15-cv-04543-YGR

**CASE MANAGEMENT AND
PRETRIAL ORDER**

9 **TO ALL PARTIES AND COUNSEL OF RECORD:**

10 The Court hereby sets the following trial and pretrial dates:

11 **PRETRIAL SCHEDULE**

12 REFERRED TO PRIVATE MEDIATION TO BE COMPLETED BY (<i>SEE</i> NOTE 1):	September 15, 2017
13 NON-EXPERT DISCOVERY CUTOFF (<i>SEE</i> NOTE 2):	August 1, 2017
14 DISCLOSURE OF EXPERTS (RETAINED/NON- RETAINED) (<i>SEE</i> NOTE 3):	Opening: September 29, 2017 Rebuttal: October 27, 2017
15 EXPERT DISCOVERY CUTOFF:	November 10, 2017
16 DISPOSITIVE MOTIONS ¹ / DAUBERT MOTIONS To BE HEARD BY (<i>SEE</i> NOTE 4):	October 31, 2017
17 COMPLIANCE HEARING (<i>SEE</i> PAGE 2)	Friday, December 8, 2017 at 9:01 a.m.
18 JOINT PRETRIAL CONFERENCE STATEMENT:	December 18, 2017
19 PRETRIAL CONFERENCE:	Friday, January 12, 2018 at 9:00 a.m.
20 TRIAL DATE AND LENGTH:	Monday, January 29, 2018 at 8:30 a.m. for 10 days (Defendants requests a Jury Trial)

21 Pursuant to the Court's Pretrial Instructions in Civil Cases at Section 2, trial counsel shall meet
22 and confer in advance of the Pretrial Conference. The compliance hearing on Friday, December 8,
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28 ¹ See Standing Order regarding Pre-filing Conference Requirements for motions for summary judgment.

1 2017 at 9:01 a.m. is intended to confirm that counsel have reviewed the Court's Pretrial Setting
2 Instructions and are in compliance therewith. The compliance hearing shall be held in the Federal
3 Courthouse, 1301 Clay Street, Oakland, California, in Courtroom 1. Five (5) business days prior
4 to the date of the compliance hearing, the parties shall file a one-page JOINT STATEMENT
5 confirming they have complied with this requirement or explaining their failure to comply. If
6 compliance is complete, the parties need not appear and the compliance hearing will be taken off
7 calendar. Telephonic appearances will be allowed if the parties have submitted a joint statement
8 in a timely fashion. Failure to do so may result in sanctions.

9 The parties must comply with both the Court's Standing Order in Civil Cases and Standing
10 Order for Pretrial Instructions in Civil Cases for additional deadlines and procedures. All
11 Standing Orders are available on the Court's website at <http://www.cand.uscourts.gov/ygrorders>.

12 Based on the Court's discussion with the parties at the case management conference, the
13 Court further **ORDERS** thus:

14 **Note 1:** The Court **SETS** a compliance hearing for **August 4, 2017 at 9:01 a.m.** regarding
15 the parties' mediation efforts. No later than **July 28, 2017**, the parties must file a joint statement
16 either (i) providing the Court with the name of their chosen mediator and the date of their
17 mediation or (ii) explaining their failure to do so. If compliance is complete, the Court may vacate
18 the hearing and the parties need not appear.

19 **Note 2:** The parties represented that plaintiffs may require and seek to obtain the
20 deposition of Columbia's Chairman of the Board, Gert Boyle, or Columbia's Chief Executive
21 Officer, Timothy Boyle. Defendants agree that such depositions can proceed after the August 1,
22 2017 cut-off for non-expert discovery, but are subject to the discovery dispute resolution
23 procedures set forth in this Court's Standing Order. If a dispute as to the propriety of taking such
24 depositions arises, the parties will submit a joint letter brief outlining such dispute no later than
25 July 28, 2017.

26 **Note 3:** The parties believe that a dispute may arise with regard to certain experts taking a
27 survey of potential members of the certified class. If such a dispute exists, the parties will address
28 the same with the following procedure: Opening letter briefs must be filed no later than July 27,


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2017, and response briefs no later than August 2, 2017. Such briefs shall not exceed four (4) pages in length. The parties request that the Court provide a ruling on any such dispute by August 4, 2017.

Note 4: The Court **SETS** the following briefing schedule for dispositive and *Daubert* motions, which are set for hearing on Tuesday, October 31, 2017: Plaintiffs' opening brief must be filed by August 18, 2017. Defendants' opposition shall be due on September 15, 2017, and plaintiffs' reply on October 13, 2017.

IT IS SO ORDERED.

Dated: July 20, 2017



YVONNE GONZALEZ ROGERS
United States District Judge