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Counsel for Defendant General Mills, Inc.

Counsel for Plaintiffs Nancy Coe, Tori Castro, Pamela Mizzi, and the Proposed Class

[Additional Counsel Appear on Signature Page]

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND DIVISION

13 NANCY COE, TORI CASTRO, and
 14 PAMELA MIZZI, individually, and on behalf
 of those similarly situated,

Plaintiffs,

v.

16 GENERAL MILLS, INC.,

Defendant.

Case No. 4:15-cv-05112-HSG (LB)

**JOINT STIPULATION OF
 PARTICULARIZED GOOD CAUSE AND
 ORDER EXTENDING DISCOVERY
 SCHEDULE AND OTHER DEADLINES**

Civil L.R. 6-2

Judge: Hon. Haywood S. Gilliam, Jr.

1 Plaintiffs Nancy Coe, Tori Castro, and Pamela Mizzi (collectively, “Plaintiffs”) and
2 Defendant General Mills, Inc. (“Defendant”) (collectively with Plaintiffs, the “Parties”), by and
3 through their undersigned counsel, stipulate as follows, subject to an Order approving the
4 Stipulation:

5 WHEREAS, on November 14, 2017, the Parties jointly stipulated and sought an order
6 extending the discovery schedule and other deadlines because the Parties had agreed to enter into
7 mediation [ECF No. 76];

8 WHEREAS, on November 16, 2017, the Court held a telephone conference and,
9 thereafter, entered the following deadlines [ECF No. 78]:

DATE	EVENT
April 6, 2018.....	Close of Class Certification Fact Discovery
May 7, 2018.....	Plaintiffs’ Class Certification Expert Disclosures
June 6, 2018.....	Defendant’s Class Certification Expert Disclosures
July 6, 2018.....	Close of Class Certification Expert Discovery
August 27, 2018.....	Class Certification Motion due
September 28, 2018	Response to Class Certification due
October 29, 2018	Reply to Class Certification due
November 15, 2018, 2:00 pm	Hearing on Motion for Class Certification

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20 WHEREAS the Parties had agreed to engage in a 2-day mediation on February 21 and 22,
21 2018, in Los Angeles, California, with the Hon. Peter D. Lichtman (Ret.) of JAMS. The Parties
22 mediated with Judge Lichtman on February 21, 2018 and the case did not settle. By agreement,
23 the Parties postponed the second day of mediation;

24 WHEREAS Judge Lichtman remained engaged with the Parties via telephone and email
25 for an extended period, and on March 12, 2018 made a mediator’s proposal for certain
26 components of a settlement. On March 19, 2018, Judge Lichtman informed the parties that both
27 sides had accepted the mediator’s proposal for portions of a settlement, and requested a further
28 mediation to seek to complete open issues remaining with respect to a potential settlement. In

1 accordance with Judge Lichtman's request, the Parties have rescheduled the second day of
2 mediation for May 14, 2018, in Los Angeles, California, which is Judge Lichtman's next
3 available date;

4 WHEREAS, in order to preserve the resources of both the Court and the Parties, the
5 Parties have agreed that completion of the remaining class certification discovery should be
6 stayed pending the continued mediation without prejudice to resume discovery should this case
7 not resolve through mediation;

8 WHEREAS the Parties recognize that the Court requires particularized good cause for
9 revising the schedule and the Parties agree that: (1) they have sufficient information and
10 discovery for a potentially successful mediation; (2) the Parties entered the mediation in good
11 faith in an effort to resolve this matter; (3) the Parties agree that Judge Lichtman is a particularly
12 effective mediator and has assisted the Parties in making substantial progress towards a
13 resolution; (4) Judge Lichtman's, the Parties' and counsel's schedules will only allow for the
14 second day mediation in May on the date specified; (5) the mediation and the potential for a
15 resolution will avoid the expenditure of significant resources of the Parties in conducting
16 discovery and significant resources of the Court in resolving potential discovery disputes; and (6)
17 given certain discovery issues, the potential for resolution with discovery continued as specified
18 constitutes enhances the likelihood for a successful mediation. The Parties believe the foregoing
19 constitutes good cause for this modification of the schedule;

20 WHEREAS the Parties have agreed that the cutoff for Class Certification Discovery shall
21 be 40 days after the conclusion of the mediation if not successful, which cutoff date shall be
22 subject to hearings and rulings on motions to compel which may necessitate an extended
23 discovery cutoff date;

24 WHEREAS, based on the stay of discovery pending mediation, the Parties likewise agree
25 that the remaining dates related to Class Certification briefing and expert disclosure and discovery
26 in the current case schedule should be adjusted correspondingly, pursuant to the Court's
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1 permission and would submit a proposed schedule following the mediation if the mediation is not
2 successful;

3 WHEREAS, the Parties seek no other modification to the schedule; specifically, there is
4 no request to move a Date Set for Dispositive Motions, a Pre-Trial Conference Date, or a Trial
5 Date;

6 NOW, THEREFORE, the Parties hereby stipulate and request that the Court enter an
7 order staying all further discovery and all Class Certification related deadlines.

8
9 Respectfully submitted,

10 DATED: April 9, 2018

KAPLAN FOX & KILSHEIMER LLP

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27 *Counsel for Plaintiffs and the Proposed Classes*

1 DATED: April 9, 2018

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Counsel for Defendant General Mills, Inc.

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14 **ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)**

15 I, Laurence D. King, attest that concurrence in the filing of this document has been
16 obtained from the other signatory. I declare under penalty of perjury under the laws of the United
17 States of America that the foregoing is true and correct.

18 Executed this 9th day of April, 2018, in San Francisco, California.

19 /s/ Laurence D. King
20 Laurence D. King

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ORDER

Pursuant to the foregoing Stipulation, the revised discovery schedule and briefing scheduled as stated above is **SO ORDERED**.

DATED: April 10, 2018



HON. HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE