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11 Attorneys for Defendants
 12 THE GAP, INC.; GAP (APPAREL) LLC;
 13 GAP INTERNATIONAL SALES, INC.;
 14 BANANA REPUBLIC, LLC; and BANANA
 15 REPUBLIC (APPAREL) LLC

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

18 LAURIE MUNNING, on behalf of
 19 herself and all others similarly situated,

20 Plaintiffs,

21 vs.

22 THE GAP, INC.; GAP (APPAREL)
 23 LLC; GAP INTERNATIONAL SALES,
 24 INC.; BANANA REPUBLIC, LLC; and
 25 BANANA REPUBLIC (APPAREL)
 26 LLC,

27 Defendants.

Case No. 4:16-cv-03804-HSG

**JOINT STIPULATION TO
 CONTINUE CASE
 MANAGEMENT DEADLINES
 AND ORDER**

Complaint served: May 25, 2016

Judge: Hon. Haywood S. Gilliam, Jr.
 Ctrm: 2

28 and

29 MICHAEL PALLAGROSI, on behalf of
 30 himself and all others similarly situated,

31 Plaintiffs,

32 vs.

33 THE GAP, INC.; GAP (APPAREL)
 34 LLC; GAP INTERNATIONAL SALES,
 35 INC.; BANANA REPUBLIC, LLC; and
 36 BANANA REPUBLIC (APPAREL)
 37 LLC,

38 Defendants.

Case No. 4:17-cv-05905-HSG

Complaint served: October 25, 2017

Judge: Hon. Haywood S. Gilliam, Jr.
 Ctrm: 2

1 Based on progress made at a mediation in this matter on August 20, 2018,
2 Defendants The Gap, Inc.; Gap (Apparel) LLC; Gap International Sales, Inc.; Banana
3 Republic, LLC; and Banana Republic (Apparel) LLC (“Defendants” or “Gap”) and
4 Plaintiff Laurie Munning and Plaintiff Michael Pallagrosi (“Plaintiffs”), by and
5 through their respective counsel of record, hereby stipulate to continue the case
6 management deadlines currently set in this case, by thirty (30) days, subject to Court
7 approval. The parties seek a brief extension of the case management deadlines in
8 light of the need to continue discussions following the mediation in *Pallagrosi*, two
9 pending decisions in outstanding motions in *Pallagrosi* and *Coladonato, et al. v. The*
10 *Gap, Inc., et al.*, Case No. 1:17-cv-11998-JHR-KMW (D.N.J.), and the recent filing
11 of another case in California state court.

12 1. On January 11, 2018, this Court entered an order setting the deadline
13 for mediation on or before July 11, 2018. *See Pallagrosi* Dkt. 19.

14 2. On February 1, 2018, this Court entered a scheduling order in the
15 related *Munning, et al. v. The Gap, Inc., et al.*, Case No. 4:16-cv-003804-HSG,
16 setting the deadlines for fact discovery, expert disclosures, class certification
17 motions and hearings, and dispositive motions. *See Munning* Dkt. 91. On June 14,
18 2018, the Court entered a Revised Scheduling Order. *See Munning* Dkt. 96.

19 3. The parties have been conducting fact discovery, including exchanging
20 written discovery and producing documents. The parties have produced a
21 voluminous number of documents and data, which is requiring significant time to
22 process and analyze.

23 4. On March 8, 2018, this Court took Defendants’ motion to dismiss
24 Plaintiff’s complaint in *Pallagrosi* under submission, and the motion remains
25 pending.

26 5. The *Coladonato* case, involving allegations of false advertising
27 relating to in-store purchases at Gap and Banana Republic outlet stores was filed in
28 the New Jersey Superior Court Law Division (Camden County) on October 9, 2017

1 by the same counsel as in *Munning* and *Pallagrosi*. Defendants removed the case
2 to the United States District Court in the District of New Jersey. Plaintiff
3 Coladonato filed a motion for remand to state court on December 7, 2017. Plaintiff
4 Coladonato's motion for remand remains pending. If Plaintiffs' motion is denied,
5 Defendants intend to seek to transfer it to the Northern District of California.

6 6. On or around May 3, 2018, Plaintiffs' counsel, on behalf of Carmen
7 Andrews, a consumer in California, filed a new action against Defendants involving
8 allegations of false advertising relating to in-store purchases at Gap and Banana
9 Republic outlet stores located in California. *Andrews v. The Gap, Inc., et al*, Case
10 No. CGC-18-567237, Superior Court of the State of California, County of San
11 Francisco.

12 7. On August 20, 2018, the parties participated in a mediation with the
13 Hon. Jay Gandhi (Ret.) involving all four related matters. During the mediation,
14 the parties made substantial progress with respect to a proposed agreement that
15 would resolve all four matters on a class wide basis. The parties are continuing to
16 work together directly and through Judge Gandhi (Ret.) to resolve the remaining
17 differences and believe that their request for a brief amount of additional time will
18 increase their ability to succeed on those efforts. The parties have made progress
19 with respect to discovery and will continue to do so while they negotiate but it is
20 their hope to avoid some of the costs and burdens of completing all discovery while
21 they continue to negotiate.

22 8. Accordingly, the parties propose a brief extension of approximately
23 four weeks of the case management schedule as follows:

Event	Current Deadlines <i>(Munning Dkt. 91)</i>	Proposed Deadlines
Fact Discovery Cutoff	September 20, 2018	October 19, 2018

1	Initial Expert Disclosures	October 18, 2018	November 19, 2018
2	Rebuttal Expert	November 15, 2018	December 14, 2018
3	Disclosures		
4	Expert Discovery	November 29, 2018	January 4, 2019
5	Deadline		
6	<i>Munning</i> Motion for	December 27, 2018	January 28, 2019
7	Class Certification Due		
8	<i>Munning</i> Class	March 7, 2019	April 11, 2019
9	Certification Hearing		
10	Pallagrosi Motion for	March 11, 2019	April 8, 2019
11	Class Certification Due		
12	Pallagrosi Class	May 9, 2019	June 6, 2019
13	Certification Hearing		

14
15
16 **SO STIPULATED.**

17 Dated: August 28, 2018

LAW OFFICES OF TODD M. FRIEDMAN

18
19 By: /s/ Todd M. Friedman

Todd M. Friedman

20
21 and

22 DeNITTIS OSEFCHEN PRINCE,
23 P.C. Stephen P. DeNittis, Esq. (pro
24 hac vice admitted)

25 Attorneys for Plaintiff LAURIE
26 MUNNING and MICHAEL
27 PALLAGROSI
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Dated: August 28, 2018

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Joseph Duffy
Joseph Duffy
Esther K. Ro
Attorneys for Defendants
THE GAP, INC., GAP (APPAREL) LLC,
GAP INTERNATIONAL SALES, INC.,
BANANA REPUBLIC LLC, and BANANA
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ATTESTATION

I, Joseph Duffy, am the registered ECF user whose username and password are being used to file this Joint Stipulation. In compliance with LR 5-1(i)(3), I hereby attest that the above-identified counsel concurred in this filing.

Dated: August 28, 2018

Joseph Duffy

PURSUANT TO STIPULATION, AND FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

Dated: August 29, 2018


HONORABLE HAYWOOD S. GILLIAM JR.
United States District Judge