

1 JOSHUA J. CLIFFE, Bar No. 215390  
 jcliffe@littler.com  
 2 WILLIAM A. COSMOPULOS, Bar No. 312908  
 bcosmopulos@littler.com  
 3 LITTLER MENDELSON, P.C.  
 333 Bush Street, 34th Floor  
 4 San Francisco, CA 94104  
 Telephone: 415.433.1940  
 5 Facsimile: 415.399.8490

6 Attorneys for Defendant  
 AMERICAN ORTHODONTICS CORPORATION

7  
 8 MARK P. VELEZ, Bar No. 163484  
 velezlaw@live.com  
 THE VELEZ LAW FIRM, P.C.  
 9 3010 Lava Ridge Court, Suite 180  
 Roseville, CA 95661  
 10 Telephone: 916.774.2720  
 Facsimile: 916.774.2730

11 Attorney for Plaintiff  
 12 DAVID C. BARNEY

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

15  
 16 DAVID C. BARNEY,  
 17 Plaintiff,  
 18 v.  
 19 AMERICAN ORTHODONTICS  
 20 CORPORATION, and DOES 1 through 20,  
 inclusive,  
 21 Defendants.

Case No. 4:18-cv-03653-HSG

**SECOND REVISED JOINT DISCOVERY  
 PLAN AND ORDER**

Hearing Date: Sept. 25, 2018  
 Time: 2:00 p.m.  
 Courtroom 2 – 4<sup>th</sup> Floor

Trial Date: No date set  
 Complaint Filed: November 13, 2017

1 Plaintiff David C. Barney (“Plaintiff”) and Defendant American Orthodontics Corporation  
2 (“Defendant”) (together, the “Parties”) jointly submit this Revised Discovery Plan pursuant to the  
3 Court’s September 27, 2018 Order (ECF 19).

4 **1. SETTLEMENT AND ADR**

5 The Parties have discussed and have agreed to private mediation with Jeffrey Ross, to take  
6 place on March 19, 2019.

7 **2. SCHEDULE**

8 After meeting and conferring, the Parties propose the following case management deadlines.  
9 The Parties propose that expert disclosures should follow the dispositive motion hearing date.

Event	Proposed Deadline
Non-expert discovery cut-off	May 3, 2019
Last day for dispositive motion hearing	July 18, 2019
Designation of experts	August 1, 2019
Designation of rebuttal experts	August 30, 2019
Expert-discovery cut-off	September 27, 2019
Final Pretrial Conference	October 15, 2019
Trial	October 29, 2019

19  
20 Dated: October 9, 2018

21  
22 /s/ William A. Cosmopulos  
23 JOSHUA J. CLIFFE  
24 WILLIAM A. COSMOPULOS  
25 LITTLER MENDELSON, P.C.  
26 Attorneys for Defendant  
27 AMERICAN ORTHODONTICS  
28 CORPORATION

1 Dated: October 9, 2018

2  
3 /s/ Mark P. Velez  
4 MARK P. VELEZ  
5 THE VELEZ LAW FIRM, PC  
6 Attorney for Plaintiff  
7 DAVID C. BARNEY

8 **FILER'S ATTESTATION**

9 Pursuant to Local Rule 5-1, I, the filer of this document, attest that all other  
10 signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have  
11 authorized the filing.

12  
13 /s/ William A. Cosmopulos  
14 WILLIAM A. COSMOPULOS

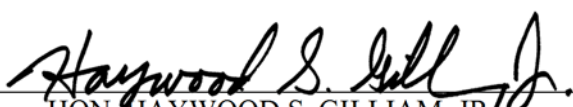
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CASE MANAGEMENT ORDER

The above JOINT DISCOVERY PLAN is approved for this case and all parties shall comply with its provisions.

IT IS SO ORDERED except the first day of trial will be Monday, October 28, 2019 at 8:30 a.m.

Dated: October 10, 2018

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

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