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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

IN RE PHILO PRIVACY LITIGATION

Case No. 4:22-cv-04296-HSG

**STIPULATED MOTION TO
EXTEND ESI PROTOCOLS
DEADLINE; ORDER**

1 Plaintiffs James Newlands and Christy Emerson (together, “Plaintiffs”), and Defendant
2 Philo, Inc. (“Defendant”) (together, “the Parties”), stipulate, and request that the Court order
3 pursuant to their stipulation, as follows:

4 WHEREAS, this is a stipulated motion under Civil Local Rule 6-2 to reset a deadline set
5 by Court order.

6 WHEREAS, on November 16, 2022, the Court entered a Scheduling Order setting that
7 same day as the deadline for the Parties to file an ESI Protocol. ECF No. 49, at 1.

8 WHEREAS, after meeting and conferring, the Parties reached agreement on all but a
9 small number of narrow issues identified by the redlined language to paragraphs (1) and (2)(f) of
10 Exhibit 1 to the attached Declaration of Douglas I. Cuthbertson.

11 WHEREAS, the Parties are still discussing these provisions, do not believe that they are at
12 an impasse, and believe that it would be helpful to have an additional week to continue to meet
13 and confer about them.

14 WHEREAS, the Declaration of Douglas I Cuthbertson is attached to this motion as
15 Exhibit A, as required by Local Rule 6-2(a).

16 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties
17 through their counsel, subject to the Court’s approval, that:

18 1. By November 23, 2022, the Parties shall either file a fully agreed-upon stipulated
19 ESI protocol for the Court’s consideration, or submit a joint letter outlining any remaining
20 disputes pursuant to paragraphs 19 and 20 of Your Honor’s Standing Order for Civil Cases.

21 Dated: November 17, 2022

Respectfully submitted,

22 By: /s/ Douglas I. Cuthbertson

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ORDER EXTENDING ESI PROTOCOLS DEADLINE

Pursuant to stipulation, IT IS SO ORDERED.

DATED: 11/18/2022


Hon. Haywood S. Gilliam, Jr.
United States District Judge