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12 Attorneys for Defendant
 13 GOOGLE INC., a Delaware corporation

14
 15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN JOSE DIVISION

19 DAVID ALMEIDA, individually and on
 20 behalf of all others similarly situated,

Plaintiff,

v.

22 GOOGLE, INC., a Delaware corporation; and
 23 DOES 1 through 10, inclusive,

Defendants.

Case No. C 08-02088 RMW (PVTx)

**□ SCHEDULING AND CASE
MANAGEMENT ORDER**

1 Plaintiff David Almeida and defendant Google Inc. came on for a case management
2 conference on August 15, 2008. Having considered the Joint Case Management Statement, the
3 arguments presented by counsel and good cause appearing therefore, the Court hereby orders as
4 follows:

5 **I. ALTERNATIVE DISPUTE RESOLUTION**

6 The parties have filed a Stipulation and Proposed Order selecting mediation as their
7 preferred ADR process and will complete said mediation process no later than June 9, 2009.

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9 **II. DISCLOSURES**

10 Google Inc. will make the disclosures required by Rule 26, Federal Rule of Civil
11 Procedure within thirty days of the case management conference.

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13 **III. DISCOVERY**

14 The parties may pursue all discovery methods available under the Federal Rules of Civil
15 Procedure (including depositions, interrogatories, requests for admission, and requests for
16 production) and will follow the presumptive limits set forth in those Rules, except that the Court
17 orders the limit on depositions made by F.R.Civ.P. 30(a)(2)(A)(i) be changed from a maximum
18 of ten depositions to an equivalent maximum hourly quota of 70 hours to be used at the
19 discretion of each party.

20 The parties shall abide by the following discovery schedule:

| | | |
|----|-------------------|------------------------------|
| 21 | November 2, 2009 | Non-expert discovery cut-off |
| 22 | November 9, 2009 | Expert opening reports |
| 23 | November 23, 2009 | Expert opposition reports |
| 24 | December 7, 2009 | Expert reply reports |
| 25 | December 14, 2009 | Expert discovery cut-off |
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IV. CLASS CERTIFICATION BRIEFING SCHEDULE

The following schedule shall apply to Plaintiff's anticipated motion for class certification:

- | | |
|---------------|--|
| April 3, 2009 | Last day for Plaintiff to file and serve: (1) expert report(s) on class certification; and (2) motion for class certification. |
| May 8, 2009 | Last day for Defendant to file and serve: (1) expert report(s) on class certification; and (2) opposition to motion for class certification. |
| May 22, 2009 | Last day for Plaintiff to file and serve reply in support of motion for class certification. |
| June 19, 2009 | Hearing on motion for class certification. |

IT IS SO ORDERED.

Dated: 10/10/08

By: *Ronald M. Whyte*
The Honorable Ronald M. Whyte
United States District Court Judge