

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

KATHERINE E. DECKER, individually  
and on behalf of all others similarly  
situated,  
  
Plaintiff,  
  
vs.  
  
HEWLETT-PACKARD COMPANY,  
  
Defendant.

Case No. 09-00295 (JW)

3/30/2010

**STIPULATED REQUEST FOR ORDER  
AND [PROPOSED] ORDER EXTENDING  
DISCOVERY AND BRIEFING  
DEADLINES**

Action filed: January 22, 2009

Through this Stipulated Request and [Proposed] Order, Plaintiff Katherine E. Decker (“Plaintiff”) and Defendant Hewlett Packard Company (“HP”) stipulate and agree to extend the discovery and briefing deadlines as set forth below, and jointly seek that the Court approve this extension pursuant to L.R. 6-2.

WHEREAS, on May 8, 2009, the parties filed a Joint Case Management Statement and Rule 26(f) Report (Dkt. No. 20);

WHEREAS, on May 14, 2009, the Court entered an Order (Dkt. No. 23) setting certain dates regarding discovery and class certification as follows:

**Case Schedule**

<b>Close of Briefing on Anticipated Motion for Class Certification</b>	<b>November 16, 2009</b>
<b>Hearing on Anticipated Motion for Class Certification</b>	<b>December 7, 2009 at 9 a.m.</b>
<b>Close of All Discovery</b>	<b>July 12, 2010</b>
<b>Last Date for Hearing Dispositive Motions (=60 days after the Close of All Discovery)</b>	<b>September 13, 2010</b>
<b>Preliminary Pretrial Conference (=30 days before the Close of All Discovery)</b>	<b>June 14, 2010</b>
<b>Preliminary Pretrial Conference Statements (Due 10 days before Conference)</b>	<b>June 4, 1010</b>

1 WHEREAS, the parties jointly requested an extension of discovery and briefing deadlines  
2 on October 27, 2009 (Dkt. No. 36);

3 WHEREAS, this Court granted the parties' joint request for extension of discovery and  
4 briefing deadlines on October, 29, 2009, and entered an Order (Dkt. No. 38) setting certain dates  
5 regarding discovery and class certification as follows:  
6

7 **Case Schedule**

8 <b>Close of Briefing on Anticipated Motion for Class Certification</b>	<b>May 24, 2010</b>
9 <b>Deadline for Class Certification motion to be filed</b>	<b>March 22, 2010</b>
10 <b>HP's Opposition to Class Certification due</b>	<b>May 3, 2010</b>
11 <b>Decker's Reply in Support of Class Certification due</b>	<b>May 24, 2010</b>
12 <b>Hearing on Anticipated Motion for Class Certification</b>	<b>June 14, 2010 at 9 a.m.</b>
13 <b>Close of All Discovery</b>	<b>December 20, 2010</b>
14 <b>Last Date for Hearing Dispositive Motions (=60 days after the Close of All Discovery)</b>	<b>February 14, 2011 at 9 a.m.</b>
15 <b>Preliminary Pretrial Conference (=30 days before the Close of All Discovery)</b>	<b>November 15, 2010 at 11 a.m.</b>
16 <b>Preliminary Pretrial Conference Statements (Due 10 days before Conference)</b>	<b>November 5, 2010</b>

17  
18 WHEREAS, the parties have negotiated in good faith to agree upon a Stipulated  
19 Protective Order governing the production of sensitive confidential and highly confidential  
20 information in this matter;

21 WHEREAS, the parties have been unable to reach agreement as to certain provisions of  
22 the Stipulated Protective Order and will seek a determination by this Court;

23 WHEREAS, the parties have exchanged Initial Disclosures, but formal discovery  
24 regarding Plaintiff's anticipated motion for class certification has not been completed;

25  
26 WHEREAS, the parties each require additional discovery prior to briefing the issues of  
27 class certification;

28 WHEREAS, the parties have jointly sought and were granted one prior extension of time

1 on the discovery and/or briefing deadlines;

2 ACCORDINGLY, pursuant to Civil Local Rules 6-2 and 7-12, the parties hereby stipulate  
3 to, and request the Court's approval of, the following extended discovery and briefing schedule:



4 **Case Schedule**

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6 <b>Close of Briefing on Anticipated Motion for Class Certification</b>	<b>November 24, 2010</b>
7 <b>Deadline for Class Certification motion to be filed</b>	<b>August 20, 2010</b>
8 <b>HP's Opposition to Class Certification due</b>	<b>October 15, 2010</b>
9 <b>Decker's Reply in Support of Class Certification due</b>	<b>November 5, 2010</b>
10 <b>Hearing on Anticipated Motion for Class Certification</b>	<b>December 6, 2010 at 9:00 AM</b>
11 <b>Close of All Discovery</b>	<b>March 7, 2011</b>
12 <b>Last Date for Hearing Dispositive Motions (=60 days after the Close of All Discovery)</b>	<b>May 2, 2011</b>
13 <b>Preliminary Pretrial Conference (=30 days before the Close of All Discovery)</b>	<b>February 7, 2011</b>
14 <b>Preliminary Pretrial Conference Statements (Due 10 days before Conference)</b>	<b>January 28, 2011</b>

15  
16 Dated: March 18, 2010

MORGAN, LEWIS & BOCKIUS LLP

17  
18 /s/ Kristofor T. Henning  
19 KRISTOFOR T. HENNING, ESQUIRE

20 Attorneys for Defendant  
21 HEWLETT-PACKARD COMPANY

22 Dated: March 18, 2010

THE STURDEVANT LAW FIRM  
A Professional Corporation

23 /s/ Monique Olivier  
24 MONIQUE OLIVIER, ESQUIRE

25 Dated: March 18, 2010

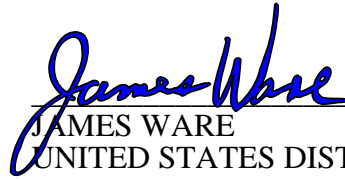
THE CRONGEYER LAW FIRM  
A Professional Corporation

26 /s/ John w. Crongeyer  
27 JOHN W. CRONGEYER, ESQUIRE  
28 Attorneys for Plaintiff  
KATHERINE E. DECKER

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PURSUANT TO STIPULATION, IT IS SO ORDERED AS MODIFIED.

Dated: March 30, 2010

  
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JAMES WARE  
UNITED STATES DISTRICT JUDGE

**ATTESTATION UNDER GENERAL ORDER 45**

I, Monique Olivier, am the ECF User whose ID and password are being used to file the within document:

**STIPULATED REQUEST FOR ORDER AND [PROPOSED] ORDER EXTENDING DISCOVERY AND BRIEFING DEADLINES**

Pursuant to General Order 45, I hereby attest that Kristofor T. Henning has concurred in this filing and that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/S/) within this efiled document.

By: /s/ Monique Olivier  
MONIQUE OLIVIER

**ATTESTATION UNDER GENERAL ORDER 45**

I, Monique Olivier, am the ECF User whose ID and password are being used to file the within document:

**STIPULATED REQUEST FOR ORDER AND [PROPOSED] ORDER EXTENDING DISCOVERY AND BRIEFING DEADLINES**

Pursuant to General Order 45, I hereby attest that John W. Crongeyer has concurred in this filing and that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/S/) within this efiled document.

By: /s/ Monique Olivier  
MONIQUE OLIVIER