

E-Filed 9/10/10

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 WIPRO, INC., a Delaware Corporation

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

12 PRAVIN JAIN, RANDY HOLTHAUS,
 13 DILIP KUKREJA, MARK WARNER, and
 DOUGLAS TANNER,

14 Plaintiffs,

15 v.

16 WIPRO, INC., a Delaware corporation,

17 Defendants.

CASE NO. 5:09-cv-02743-RS

**STIPULATION TO MODIFY CASE
 MANAGEMENT SCHEDULING ORDER;
~~PROPOSED~~ ORDER**

19 IT IS HEREBY STIPULATED, by and between Plaintiffs PRAVIN JAIN, RANDY
 20 HOLTHAUS, DILIP KUKREJA, MARK WARNER, and DOUGLAS TANNER (collectively
 21 “Plaintiffs”) and Defendant WIPRO, INC. (“Wipro” or “Defendant”), through their respective
 22 counsel of record, and pursuant to Civil Local Rule 6-2, that the dates set forth in the modified
 23 Case Management Scheduling Order filed May 18, 2010 (“Scheduling Order”) (Docket No. 28)
 24 be modified as follows:

25 Close of Non-Expert Discovery	January 12, 2011 (currently November 12, 2010)
26 Plaintiffs’ Disclosure of Experts	January 19, 2011 (currently November 19, 2010)
27 Defendant’s Disclosure of Experts	January 31, 2011 (currently November 30, 2010)

Ropers Majeski Kohn & Bentley
 A Professional Corporation
 San Jose

1	Further Case Management Conference	February 2, 2011 (currently December 9, 2011)
2	Pretrial Motions Heard No Later Than	February 18, 2011 (currently January 19, 2011)
3	Pretrial Statements Submitted By	February 18, 2011 (currently February 9, 2011)
4	Pretrial Conference	February 28, 2011 (currently February 23, 2011)

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 6 The parties stipulate to modification of the Scheduling Order because this case involves
 7 factually intensive discovery based on numerous events that occurred over a two-year period and
 8 involving Wipro’s many divisions, lines of businesses, and employees. The parties have already
 9 identified, processed, and exchanged over 88 gigabytes of electronically stored information
 10 (“ESI”) and other documents through initial disclosures and written discovery, and are continuing
 11 to produce large volumes of ESI and other documents on a rolling basis. The production has been
 12 time consuming due to the amount of documents involved, Wipro’s documents being located in
 13 India, conversion of native files to searchable Bates-stamped images, and rendering corrupt files
 14 readable.

15 The parties have also engaged in third-party discovery. Many of the third-party witnesses
 16 are located in India, requiring additional time to resolve issues related to third-party production.
 17 There are a number of witnesses that are located throughout the United States, India, and
 18 potentially other countries. The parties are working together to facilitate discovery, coordinating
 19 the schedules of attorneys, clients, and other percipient witnesses for depositions both here and in
 20 India. The parties are arranging to travel to India in November, 2010, in order to take several
 21 depositions of key witnesses that are necessary for the investigation of both the Plaintiffs’ claims
 22 and Defendant’s defenses. Several of the witnesses are non-parties, and service of process on
 23 non-party witnesses located abroad through the Hague Convention, letters rogatory, or other
 24 methods for procuring documents and testimony abroad, add to the amount of time required to
 25 complete discovery. In order to accommodate traveling to India in November, the parties have
 26 agreed to extend the close of non-expert and expert discovery.

27 The parties have previously entered into stipulations related to Plaintiffs’ filing of an
 28 amended complaint and extending the time to respond to the complaint. (Docket Nos. 4, 5, 7, 8,

1 and 10.) The parties also stipulated to modify the original scheduling order to extend the
2 discovery cut-off. (Docket No. 28.) However, the parties need additional time to complete
3 discovery. The proposed modification of the Scheduling Order does not change the date currently
4 set for Trial. Its effect is to provide the parties with a reasonable time to complete discovery prior
5 to the date currently set for trial.

6 IT IS SO STIPULATED:

7 Dated: September 8, 2010

ROPERS, MAJESKI, KOHN & BENTLEY

8 By: /s/ Michael J. Ioannou

9 MICHAEL J. IOANNOU
10 Attorneys for Defendant
WIPRO, INC.

11 Dated: September 8, 2010

SUSMAN GODFREY LLP

12 By: /s/ Stephen E. Morrissey

13 STEPHEN E. MORRISSEY
14 Attorneys for Plaintiffs
PRAVIN JAIN, RANDY HOLTHAUS,
15 DILIP KUKREJA, MARK WARNER, and
DOUGLAS TANNER

16 I, Michael J. Ioannou, am the ECF user whose identification and password are being used
17 to file this stipulation. In compliance with General Order 45.X.B, I hereby attest that the other
18 signatory has concurred in this filing.

19 Dated: September 3, 2010

ROPERS, MAJESKI, KOHN & BENTLEY

20 By: /s/ Michael J. Ioannou

21 MICHAEL J. IOANNOU
22 Attorneys for Defendant
WIPRO, INC.

23
24
25 ~~PROPOSED~~ ORDER

26 Pursuant to the above stipulation,

27 IT IS HEREBY ORDERED that the dates set forth in the Case Management Scheduling
28 Order filed on October 21, 2009 (Docket No. 22) and modified on May 18, 2010 (Docket No. 28)

1 are modified as follows:

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Close of Non-Expert Discovery	January 12, 2011
Plaintiffs' Disclosure of Experts	January 19, 2011
Defendant's Disclosure of Experts	January 31, 2011
Further Case Management Conference	February 2, 2011 February 3, 2011 at 10:00 a.m.
Pretrial Motions Heard No Later Than	February 18, 2011
Pretrial Statements Submitted By	February 18, 2011
Pretrial Conference	February 28, 2011 March 3, 2011 at 10:00 a.m.

Trial: March 7, 2011 at 9:00 a.m. in San Francisco, Courtroom #3, 17th Floor.

Dated: 9/9/10



RICHARD SEEBORG
United States District Judge