

\*E-Filed 3/4/11\*

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 WIPRO, INC.

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

11  
 12 PRAVIN JAIN, RANDY HOLTHAUS,  
 13 DILIP KUKREJA, MARK WARNER and  
 DOUGLAS TANNER,

14 Plaintiffs,

15 v.

16 WIPRO, INC., a Delaware corporation,

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

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO MODIFY CASE SCHEDULE**

Judge: The Honorable Richard Seeborg

Ropers Majeski Kohn & Bentley  
 A Professional Corporation  
 San Jose

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1 Plaintiffs Pravin Jain, Randy Holthaus, Dilip Kukreja, Mark Warner, and Douglas Tanner  
2 (collectively “Plaintiffs”) and Defendant Wipro, Inc. (“Wipro”) agree as follows:

3 The parties have been working diligently to complete discovery before the current  
4 February 28, 2011 deadline for non-expert discovery set forth in the modified Case Management  
5 Scheduling Order entered on December 14, 2010 (“Scheduling Order”) (Docket No. 51). This  
6 discovery included depositions of key witnesses located in India. During the first two weeks of  
7 February, 2011, the parties traveled to and conducted nine depositions in India, including Wipro’s  
8 corporate representatives, a plaintiff, and non-party witnesses who live in India.

9 During these depositions, the parties discovered additional discovery that needed to be  
10 completed, including the exchange of additional electronically stored information (“ESI”)  
11 maintained in India on back-up drives or tapes by Plaintiffs and Defendant, and depositions of  
12 additional witnesses. The parties are retrieving this ESI and processing it for production. The  
13 exchange of this additional ESI will complete the parties’ production of the large volume of ESI  
14 that has already been exchanged through the parties’ initial disclosures and written discovery.  
15 The parties have also been working to schedule the depositions of the additional witnesses.

16 The parties have also not received the transcripts for the witnesses whose depositions were  
17 completed in India. These deposition transcripts are of key witnesses, and will be used in moving  
18 and/or opposing the parties’ respective motions for summary judgment/adjudication. Under the  
19 current Scheduling Order, the parties would not have the transcripts to use in support of their  
20 respective motions, since dispositive motions would be filed on March 3, 2011.

21 To allow the parties to produce the additional ESI, accommodate the witnesses’ schedules,  
22 obtain the transcripts of the witnesses whose depositions were taken in India, and leave sufficient  
23 time for trial preparation, the parties agreed to a short continuance of all pre-trial and trial dates.  
24 The parties further agree this will be the final modification of the scheduling order.

25 Consequently, IT IS HEREBY STIPULATED between Plaintiffs and Wipro, through  
26 their respective counsel of record, and pursuant to Civil Local Rule 6-2, that, to the extent  
27 allowed by the Court’s calendar, the dates set forth in the Scheduling Order be modified as  
28 follows:

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Close of Non-Expert Discovery	March 28, 2011
Plaintiffs' Expert Disclosures	April 7, 2011
Defendant's Expert Disclosures	April 18, 2011
Further Case Management Conference	<del>April 21, 2011 @ 10:00 a.m.</del> March 31, 2011 @ 10:00 a.m.
Close of Expert Discovery	May 4, 2011
Meet and Confer re Pretrial Conference	May 9, 2011
Dispositive Motions Heard No Later Than	<del>May 5, 2011</del> April 7, 2011
Submit Pretrial Statements	May 18, 2011
Final Pre-Trial Conference	May 26, 2011 @ 10:00 a.m.
Jury Trial Begins	June 6, 2011

IT IS SO STIPULATED.

Dated: March 3, 2011

SUSMAN GODFREY LLP

By: /s/ Stephen E. Morrissey  
STEPHEN E. MORRISSEY

Attorneys for Plaintiffs  
Pravin Jain, Randy Holthaus, Dilip  
Kukreja, Mark Warner and Douglas Tanner

Dated: March 3, 2011

ROPERS, MAJESKI, KOHN & BENTLEY

By: /s/ Michael J. Ioannou  
MICHAEL J. IOANNOU

Attorneys for Defendant  
WIPRO, INC.

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

Dated: March 3, 2011

ROPERS, MAJESKI, KOHN & BENTLEY

By: /s/ Michael J. Ioannou  
MICHAEL J. IOANNOU  
Attorneys for Defendant WIPRO, INC.

**PROPOSED ORDER**

Pursuant to stipulation, IT IS HEREBY ORDERED, that the dates set forth in the modified Case Management Scheduling Order, entered on December 14, 2010 (“Scheduling Order”) (Docket No. 51) be modified as follows:

Close of Non-Expert Discovery	March 28, 2011
Plaintiffs’ Expert Disclosures	April 7, 2011
Defendant’s Expert Disclosures	April 18, 2011
Further Case Management Conference	<del>April 21, 2011 @ 10:00 a.m.</del> 3/31/11 @ 10:00 a.m.
Close of Expert Discovery	May 4, 2011
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Dispositive Motions Heard No Later Than	<del>May 5, 2011</del> April 7, 2011
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Dated: 3/3, 2011

By:   
The Honorable Richard Seeborg  
UNITED STATES DISTRICT JUDGE

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